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HERBERT C. JONES
ON CALIFORNIA GOVERNMENT
AND PUBLIC ISSUES,
(1880 - 1970)

University of California
General Library
Regional Cultural History Project
1958



Herbert C. Jones



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INTRODUCTION

California's progressive Republican leaders were never entirely unified. In the days of the Lincoln-Roosevelt League, southern and northern Californians did not see eye-to-eye on labor, nor did the progressives agree on the regulation of public morals. Nevertheless, there was a marked degree of unity during Hiram Johnson's first gubernatorial administration. Then they began to go their separate ways. By 1920 some were advocating out and out state ownership of the means of production. Some joined the Democratic fold during the New Deal era. Others eventually were identified with the extreme right wing of the Republican party. But there were also some who consistently adhered to the philosophy of government exemplified by the Administration's program in the 1911 and 1913 sessions of the California state legislature.

Herbert Coffin Jones, State Senator from Santa Clara County from 1913 to 1934 and subsequently an outstanding attorney in the field of water conservation, belonged to the camp of the unswerving. He retained, all his life, a belief in the non-partisan approach to local issues, in the importance of education, in the abolition of special privi-

leges for privately owned utilities, in a fair deal for labor along with the preservation of free enterprise, and in the inevitability of what some people might call "creeping Socialism." In the following interview, tape-recorded in his San Jose law offices on March 7, March 21, April 17, April 25, and August 8, 1957, he has set forth a birdseye view of his own work and thought and of California's state legislation as he has known it.

The interview was planned, conducted, and edited by Corinne Gilb, with Mr. Jones playing a large role in planning the section on "Main Trends in California Legislation" and with Wills Baum assisting in some of the questioning on water and power. Professor Stephen C. Smith in the University's College of Agriculture at Berkeley suggested questions on the Santa Clara Water Conservation District. Further source material relating to Mr. Jones' activities can be found in the Chester Rowell papers in the Bancroft Library and in the Jones papers at Stanford. This interview was part of a larger series undertaken by the Regional Cultural History Project to record for posterity eyewitness accounts of significant phases of California's history during the 20th century.

Corinne L. Gilb

Regional Cultural History Project
University of California Library at Berkeley
September 12, 1957

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Gilb: I know that you were born in Iowa, (September 20, 1880). Did you stay in Iowa very long?

Jones: No. I was there just during infancy; in fact I have no recollection of Iowa. My father was a professor at Penn College, a Quaker college, at Oskaloosa. Then he went to Germany, studied at the universities of Bonn and Muenster for about 3 years. Then when he came back, he became principal of the high school in Colorado Springs, and then from there he went to Nevada, where he was president of the University of Nevada, in the late '80's and early '90's. From there we came to San Jose. Our family came to San Jose because there were a number of Quaker families here, some of whom had attended Penn College when my father was an instructor there. But from the time of my grammar school education, the completion of that, clear on through high school and college, we've been in San Jose ever since.

Gilb: What was your father doing here?

Jones: He was in business; he had retired from the educational work and was in business, an investment and financial adviser.

COLLEGE AND POLITICS; SANTA CLARA COUNTY

Jones: We got here about the time there was quite a political upheaval in this county. The year I graduated from high school, my brother, who was two years behind me, was part of a migration of--oh, I guess 150 high school students who seceded from San Jose High School and went over to Santa Clara High School. The boys marched through the streets of San Jose chanting "Left, left, Johnny McKenzie got left." I went to Stanford that fall, but my brother was part of the group that went over to Santa Clara.

At that time one of the political leaders in San Jose was Johnny McKensie.

Gilb: A "boss."

Jones: A "boss," yes. He and Jim Rea were the leaders of the political organization here. The Board of Education here had fired a Latin teacher, Professor L. R. Smith, who was very popular; it was looked upon as a political move, to fire him, and that caused the migration to Santa Clara. There was organized then in this county what was called the Good Government League.

Gilb: By the Hayes brothers?

Jones: Yes. That was J. O. Hayes and E. A. Hayes. They were at the head of the movement. I was quite impressed by that movement. A few years later came the Progressive movement throughout the nation.

Gilb: What was your father's politics?

Jones: He was a Republican; he was a member of that Good Government League. In fact, he was a delegate to the famous, or notorious, Republican convention in Santa Cruz, in 1906. He had a kind of innate idealism in politics. That's what prompted him to make the alignments he did, support the candidates he did in local politics.

Gilb: You think you've been more conservative or more liberal than he?

Jones: I think more interested in politics than he was. I think he leaned more to business. In our case I don't think that either generation would have departed very much from the other, although I've seen numerous instances where in one family the younger generation causes great mental distress to their parents because they are so progressive or revolutionary. I've seen other instances where the other thing occurs. They go quite conservative. An outstanding example of loyalty

Jones: to the older generation is the McClatchy family, owners of the Sacramento Bee. The original McClatchy, founder of the paper, had a liberal, forward-looking outlook. His sons, C. K. McClatchy and J. S. McClatchy, loyally carried out his policies. Later still the family of C. K. McClatchy, the third generation in the ownership of the Bee, have likewise maintained the slant of the founder. In only one respect, so far as I know, have they departed from the views of the elder McClatchy. He was a supporter of Henry George's "Single Tax" theory. The present generation of the family do not espouse this principle of taxation. Incidentally, the profit tax by the government accomplishes practically the same results as the "Single Tax."

Gilb: When you went to college, did you want to be a lawyer very early, or was that a rather late decision?

Jones: That decision was made the summer just before I entered college. I graduated from high school. I had come to no decision. But there was a man by the name of Mr. Dougherty who was the bookkeeper or cashier at the Vendome Hotel. He'd known our family in Nevada and he used to come out and visit us Sunday afternoons, and after I graduated from high school, on the occasion of one of these visits, he asked me what course I was going

Jones: to take in college. I said, "Well, I've not decided yet." He said, "If I had my life to live over again, I'd be a lawyer." He said, "I think there are broad opportunities there." It was his talk that afternoon that was the thing that determined me to take the law course.

Gilb: What kind of lawyer did you want to be? Did you think of it as a springboard for politics? Or did you want to make money?

Jones: Well, it was the idea of going into a profession for the purpose of earning a living. Same as a doctor or an engineer. No, I didn't think of it then as a springboard for politics.

Gilb: You weren't burning with reforming zeal, I gather, at the age of seventeen.

Jones: No, I think that most young men of that age, high school and college age, have a certain idealism, and I know in one of my classes in political science, I wrote an article on the political boss--pretty immature article--I had the idea that it was easy to get rid of the political boss. I didn't appreciate then that he was the product of a system; I hadn't studied Bryce's American Commonwealth sufficiently.

Gilb: What did you do as president of the Republican Club at Stanford? What sort of activities did the club participate in?

Jones: I don't know whether the boys deserve so much credit for their political interest. They were more or less capitalized on by the Republican Party managers. In the big rallies, the final rally of the campaign, in San Francisco or here in San Jose, the managers wanted the enthusiasm and noise of a friendly audience, so they'd get several hundred college boys. We had several rallies here in San Jose in the old Garden Theatre. Some of the California boys came down, and Stanford boys, and the managers, you see, welcomed the enthusiasm and noise, so they cultivated all these political clubs.

Gilb: I see. Were you for Pardee when he ran for governor?

Jones: Yes. I was on the same platform--I remember Pardee was very gracious--we had a meeting in the old Victory Theatre here in San Jose. He was a candidate for Governor and it was arranged that I would have a little time on the platform to speak for the Stanford Republican Club. Which I did. That's when I first met Pardee, who afterwards became Governor. In those days, even

Jones: in the county, elections were on a party basis, not non-partisan. All the candidates travelled together under the Republican banner or the Democratic banner, and there were meetings in the schoolhouses and localities throughout the county, and all the different candidates of the party would appear together, but it was a Republican ticket or a Democratic ticket. And sometimes they would have a little window dressing outside of the candidates themselves; they'd get some spell-binder from San Francisco, and they'd sometimes have a college boy. I travelled around the county here at those elections.

Gilb: Did you see anything underhanded at that time? I know that the S.P. was still in control pretty much at that time; were you aware of that?

Jones: Well, I was aware of it in a general way, but the upheaval had not come then and to be perfectly frank, we didn't pay much attention to it; it was the excitement of the political campaign and being given a little recognition by the party manager that appealed to us.

Gilb: Didn't Pardee run against Lane?

Jones: Franklin K. Lane, a Democrat?

Gilb: Yes.

Jones: I've forgotten who the Democratic candidate was. But at that time, it was before I had much of an insight into the control of the state by the political machine.

Gilb: You liked the color and excitement, and your family was Republican, so that was what made you Republican.

Jones: That was the idea, yes. Like most young men, I went to the church of my parents and belonged to the party of my parents.

A FLEDGLING LAWYER

Gilb: After you studied the preliminaries to law, you did go to law school, and you were graduated from Stanford, weren't you?

Jones: Yes. My academic degree I got from Stanford, and the law degree two years afterwards. Academic degree in 1902 and law degree 1904. I was deputy county clerk for six months after I got out of college. More for the purpose of getting familiar with the work of the courts. Filing papers and legal procedure. County clerk did me the honor of asking me to remain on, but I told him I just went in there for experience and not for a job.

Gilb: How did you get started in your own practice? You just took offices?

Jones: A lawyer by the name of Sam Tompkins--the lower of those two pictures there on the wall--gave me desk room in his office. I went into his office. Any young lawyer doesn't have much money to spend for rent and stenographer and so on, so if he can give some service in an established office, he can save that expense.

Jones: That's the arrangement I had, that I would do some work for him and for that I had office space and telephone and some stenographic help.

Gilb: Did you try to get a certain type of client or would you take anyone that came along?

Jones: Well, a lawyer is frequently the victim of circumstances. His first few clients may more or less shape his career. At that time, J. R. Welch was elected in the November election, 1904, judge of this county. He'd been attorney for a building and loan association, so the directors of that association elected me as attorney for the association. It involved a good deal of detail work, loan papers, and so on. And that kept expanding. That threw me more or less into property law. If a lawyer gets started and has one or two criminal cases in which he makes a record and is successful, that business tends to come to him. But mine happened to be around property matters...

Gilb: So this got you interested in water, probably?

Jones: No, I can't say that, at that time. Not that early. It wasn't till I went to the legislature that I got interested in the water problem.

SEMPERVIRENS CLUB: LOCAL POLITICS

- Gilb: While you were a young attorney, I know there was quite an interim from about 1905 or '06 or so, till 1913, when you went to the Senate. Were you participating in politics during this interim?
- Jones: Well, I was interested in public affairs. I was on the Board of Trustees of Hester District. One of the trustees was a man by the name of Jimmy Rhodes. He was the son of Judge A. L. Rhodes. He passed away and the county superintendent of schools appointed me in his place. That was in 1909. And I was re-elected twice and we put up the new Hester School, which is on the Alameda, just out of town. Large, 14-room school. That was not so much political matter as just interested in public affairs.
- Gilb: Yes. You were in the Sempervirens Club too, weren't you?
- Jones: That came from the interest of my mother. In the fall of 1899, Andrew P. Hill, who was a famous artist and photographer, had been commissioned by a London paper, Wide World, to get photographs of the redwoods. He'd

Jones: got on the train at the old Narrow Gauge depot and had gone on over to the Felton grove, and had taken his pictures, and the proprietor of the grove, when he found that Hill was there taking the pictures, was incensed and demanded a fee for coming in. Hill said, "Why, I'm not here to picnic and spend the day; I'm just taking pictures and advertising your trees." That made no difference. "You have to pay your fee; you can't take these pictures; give the negatives back." But Hill wouldn't give them up. So returning from Santa Cruz, from Felton to San Jose, he was quite stirred up.

On the train he met John E. Richards, then a lawyer, afterwards a judge of the Supreme Court of the state. And they got to discussing the incident. Hill thought that the Felton grove ought to be a public park. And they decided to take it up with the Chambers of Commerce of San Jose, and Santa Cruz. They did so. The Santa Cruz people said, "Why, you'd better shoot for bigger game; you'd better seek to acquire the Big Basin." So a meeting was called at Stanford University made up of Dr. Jordan, president of Stanford, and some of the faculty of Stanford, faculty representation of

Jones: the University of California and of Santa Clara University. And they said, "We can't go over there in the Big Basin and look for ourselves, but you get up a group that will go over it and report what you find." So Hill got up a delegation of eight people. He selected members of clubs, organizations, writers. Among them were two women. My mother and Mrs. Carrie Stevens Walter. Also two San Francisco men: a San Francisco supervisor, and another San Francisco man. They went over into the Big Basin and they found that the lumber companies had finished their cut on the lands tributary to Boulder Creek and were going to extend their logging road over into the Big Basin. And around their campfire, on the 18th of May, 1900, they organized the Sempervirens Club. They passed the hat and collected about \$32. They decided then and there to make a drive to get the legislature to purchase the Big Basin.

Well, there was an intensive campaign. They were filled with fervor and enthusiasm. It was more or less a family matter with me because my mother participated in that, so I was drawn into it. I remember meetings that she addressed, in schools and clubs and a lot of other places, a pile of articles that she wrote. They

Jones: got the endorsement of the Native Sons, of the Native Daughters, of conservation groups, of civic bodies, of women's clubs and the backing of the great San Francisco dailies, as well as of local newspapers in Santa Cruz, Santa Clara, and San Mateo counties, of leading citizens. That was a successful campaign because it was in 1901 that the legislature appropriated \$250,000 for the acquisition of the Big Basin lands. That year, after the passage of the appropriation, Mr. Hill arranged for a public camp so that people could see what had been acquired, and then the next year he had a larger camp still. Then as now they had college boys to act as baggage slingers and roustabouts, so in 1902 I had my summer vacation free of charge by working over in that Big Basin helping set up the camp, bringing in the water supply by pipe, helping put up the tents, handling the baggage as people came in, and so on. That got me quite interested in the Sempervirens movement, and more of that developed when I went to the legislature. But from that time on I became quite interested in the State Park movement.

Gilb: By the time of the 1906 convention which your father attended, I understand that the Hayes brothers had gone

Gilb: back into the regular fold, hadn't they? Weren't they a part of the regular Republican group by then?

Jones: You're correct. They went back to the regular fold of the Republican Party. E. A. Hayes became a candidate for Congress in 1904 and again in 1906 and thereafter until 1918. He then "played ball" with those he had previously opposed. It was a disappointment, though, to many of the members of the Good Government League to have them make up with and laud a lot of local politicians in this county and others in the state organization whom they had earlier denounced and fought, when E. A. Hayes became a candidate for Congress.

Gilb: He played ball with Abe Ruef, didn't he? I suppose this was before you were in on all the party councils.

Jones: Well, that is my understanding of what occurred in that 1906 convention. My father was not for Ruef. I don't know whether his hands were tied by the part that Hayes played. He was part of the county delegation and had been friendly to J. O. and E. A. Hayes, but I think he and other delegates were kind of disgusted at the way things turned. But I don't have much of a recollection of his...

Gilb: Well, it's not so important what he did as whether it did make an impression on you. Apparently it wasn't a

Gilb: thing that was really influential in your life.

Jones: No, I wouldn't say it was.

A PROGRESSIVE REPUBLICAN

Gilb: About what time did you start getting really enthusiastic about the Progressive movement, or even becoming aware of it? Or did you become enthusiastic?

Jones: I did back in my college days. When that Good Government League was organized. And it was quite a disappointment for me after we pitched in and won the fight in the county, and then the next spring won the fight in the city of San Jose, then to have Mr. J. O. Hayes and E. A. Hayes team up with the very men they had been fighting. That was a disappointment to me. My interest had been maybe naive but quite unbounded in that Good Government League. I was greatly interested in the avowed purpose of cleaning up county politics.

Gilb: During this time did you read any national muck-raking literature? Lincoln Steffens and Ida Tarbell?

Jones: Not very much. I, of course, knew of Ida Tarbell's work, but I don't know exactly how to describe my--the influence it had on me--it was just a kind of youthful native idealism with me that would line up a young college boy on the side of clean government.

Gilb: When did you first become aware of the Lincoln-Roosevelt League?

Jones: Well, really not until Hiram Johnson was campaigning for Governor.

Gilb: Not until then.

Jones: Before 1910 I had followed his career in the graft prosecution in San Francisco and when he took over in place of Heney who had been shot in court. Then his 1910 campaign. I heard him speak in San Jose, and was an admirer of his.

Gilb: Francis Heney, I think, had been thought of as a possible candidate. Would you have liked him better, do you think? At that stage?

Jones: Well, I can't say I expressed any preference for him. I heard Heney speak at a big banquet here at the St. James Hotel, San Jose. I was an admirer of Heney's prosecuting the timber fraud cases in the northwest, cases where timber lands had been filed on illegally. I think Theodore Roosevelt had made him special prosecutor, up in the Northwest. But certainly after I had a chance to work with him, to see him, I was satisfied that Johnson was the man for governorship.

Gilb: Did you take any active part in his campaign or just

Gilb: watch it from the sidelines?

Jones: Well, as far as precinct organization work was concerned, I pitched in on that. In my own home community.

Gilb: But it was a general approval of his policies and the things for which Johnson stood that aligned me with him.

Gilb: Were you very impressed with the 1911 legislature and its accomplishments? Did they make much of a noise here in Santa Clara County?

Jones: I didn't follow it with much detail. In fact, it wasn't until I went to the legislature in 1913 that I got an idea of the weaknesses and failings of the legislature as well as its strong points. I just assumed that any man who was a legislator was versed on all public affairs (laughter) and it was something of a disillusionment to go up to Sacramento and mix with them.

ELECTION TO CALIFORNIA SENATE, 1913

Gilb: How did you happen to get elected?

Jones: Well, I replaced the first legislator who was subject to recall.

Gilb: It was Marshall Black, wasn't it, who was recalled?

Jones: My predecessor, secretary of a Palo Alto Building and Loan Association, had gotten into financial difficulties, so a recall election was staged, and on the ballot was the proposition, "Shall he be recalled?" Also the names of the aspirants for his place. On the ticket was myself and a man from Palo Alto. Our names went on just as independent candidates, but I had the endorsement of the Republican County Committee. And my opponent from Palo Alto, Mr. Kelly was his name, had the endorsement of the Democratic County Committee. But I was down here in San Jose where the center of population was. I also had a great many connections at Stanford; I had graduated from there and kept up my interest in alumni affairs; I was acquainted with a good many of the faculty. Then down here my mother was in a couple of women's clubs and interested in the

Jones: Associated Charities, and my father was in business, so that with the bulk of the vote down here, I had that advantage over my Palo Alto opponent. It was a Republican county and I had the endorsement of the Republican Committee. But the whole election and campaign came up quickly.

Gilb: Who suggested that you run in the first place? Was it your idea or did somebody else put it up to you?

Jones: It was my idea. Back of it was the fact that others urged me to run. Among them was the Sempervirens group. They wanted a road in from Saratoga Summit into the park. The 1915 Exposition was in the offing, and they wanted a means of access so that people visiting the Fair could get in to the Big Basin and see it, and they wanted someone to work for an appropriation for that.

Gilb: I think you said, last time I talked to you, that a legislator is elected on local issues.

Jones: Yes. That came out two years later. But also in this special recall election, there were men that I had associated with, L. D. Bennett, who was a part of the Lincoln-Roosevelt organization and Hiram Johnson's organization. I knew him very well, had confidence in

- Jones: him, advised with him. Also there was one's natural ambition. Every young lawyer figures that prominence is an asset in his business. Draws clients. So it was my own idea backed by, more particularly, the Sempervirens people. They urged me to run. I was elected on January 2nd and the legislature met on January 6th.
- Gilb: I have a note here that you were endorsed at a mass meeting of the Saratoga Republicans, and that the County Central Committee endorsed you after a somewhat bitter meeting. There must have been enthusiasm but also some opposition somewhere along the line.
- Jones: There were one or two other men that were aspiring for the nomination, and they had friends in the Republican County Committee, but I had more friends (laughter).
- Gilb: It was just a matter of who, rather than any general policy.
- Jones: Yes. That's correct, yes. But when it came around to two years later, by that time, Theodore Roosevelt had organized what was called the Progressive Party, or sometimes nicknamed the Bull Moose Party, and Hiram Johnson had followed him, and I, in common with Johnson's backers, registered as a Progressive. Frank

Jones: Benson, Senator for the four-year term, did and also Bennett, the Assemblyman. All the backers of Johnson registered as Progressives. Then the law required that you had to get the nomination of your own party. Endorsement by the voters of another party would be useless without your own. So I had to get the nomination of the Progressive Party. I figured that since I was going to be campaigning and would have to practically shut my office, I might as well go all out. So I filed for the Republican nomination and the Democratic nomination and the Prohibition nomination. (laughter) And got all four nominations in 1914.

Now that convinced me of one thing then. I filed for the nominations of the other parties with some trepidation, not knowing how the voters would look upon it, for a person of one party to seek to "steal" the nomination of another party so to speak. But when I got the nomination of all these parties, then I realized that the voters looked upon the legislature as a glorified city council or glorified board of supervisors. It was the personality of the candidate and the local issues he stood for. Now you must bear in mind that as part of this whole movement, the Pro-

Jones: gressive movement, they'd made local officials non-partisan. And school officials and judicial officials. It used to be that when you ran for city council, you ran as a Republican or a Democrat. And the school trustees, as Republican or Democrat. Or justice of the peace, Republican or Democrat. Those local officials, supervisors, county officers, and so on, had been changed to non-partisan, and judicial and school officials to non-partisan, and the public had become accustomed to the non-partisan basis. So when it came to the legislature, they weren't worried about the party label. And ever after that, as long as I was in the legislature, I filed for the Democratic nomination. And in every election I got the nominations of both parties. After two years, I went back into the Republican Party, but I got the Republican nomination and the Democratic nomination each succeeding election after that. So it convinced me that the public in these local elections are non-partisan and simply interested in certain local issues and the personality of the candidate and the policies he stands for as an individual candidate, and not concerned with the attitude of the national party on foreign relations, tariff,

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Jones: or those issues.

Gilb: I think part of the philosophy of Progressivism was a belief that voters should be independent and not adhere closely to political parties.

Jones: That came out in the direct primary. Taking the nominations out of the hands of the convention and leaving it up to the voters.

Going back to my advent into politics, I think as potent an influence as any was the personality of Theodore Roosevelt. At that time he was President. Then there were a number of progressive governors. Woodrow Wilson of New Jersey. Bob LaFollette of Wisconsin. Deneen of Illinois. Joe Polk of Missouri. Charles Evans Hughes in New York. And of course Hiram Johnson of this state. So that when the time came for me to run, those men and their policies strongly appealed to me. I think that had a powerful influence on a lot of young men of my time. College boys. They were impressed, inspired by those personalities. Particularly Theodore Roosevelt. He was such a dynamic man. I've observed since then that any organization, whether it's the government of the United States, or a committee of three, takes color from the

Jones: man at the head. If you have a dynamic, energetic man at the head, in the position of leadership, his followers more or less reflect his personality. I've seen that in state affairs. Governor Young was a very industrious man. He worked in his office late at night, midnight many times, and state employees came by the building and saw he was working; it tended to make them industrious. I've seen it where a whole organization takes color from the man at the head. And that was true of Theodore Roosevelt. He had such a dominating personality.

Gilb: Didn't you become a little disillusioned with him as time went on? Or did he continue to be a hero to you?

Jones: He continued to be for the most part. I don't suppose any man can command support for 100% of his policies, but his trust-busting policies and his administration appealed to me.

Gilb: How about Hiram Johnson, when you got close up? Did he continue to appeal to you, or did you find any defects? In his operations.

Jones: Well, Hiram Johnson was a man I greatly admired. A dynamic man. He did a tremendous job. It took great will power for him to accomplish some of the things

Jones: he did. After he went to the United States Senate, I differed with him on his views on the League of Nations, the international outlook, but in his state work, I was always a great admirer of him and his ability and his dynamic force. He was human.

EMPHASIS ON STATE, NOT NATIONAL ISSUES;

CAMPAIGN TECHNIQUES

Gilb: Did you play much of role in national politics throughout your career or was it primarily state?

Jones: Primarily state.

Gilb: You didn't participate in the nominating conventions or anything of that kind.

Jones: Well, I went as a delegate to the Republican state conventions. I confess it was partly from a motive of self-interest. If you're a candidate for office, it's a way of getting your name before the public, in the newspaper. Speaking at different groups and gatherings is all the better for you. In other words, your stock in trade is publicity, acquaintances, how well the people know you. I ran for the office of State Senator every four years. The intervening year I ran for delegate to the state convention, as much to keep my name before the people as anything else. I was interested in the platform, in the policies and so forth, but I also had something of self-interest.

Gilb: Did you feel regret when the national Progressive Party rejoined the Republican Party?

Jones: Well, events were making it more or less inevitable. The history of American politics shows that it has been very difficult to organize third parties in this country.

Gilb: Perhaps I could ask it this way: when it came to voting nationally, did you have any trouble voting for Republican candidates in the '20's and '30's?

Jones: No, except one would make a choice as to his leanings, toward what were known as progressive or liberal policies as distinguished from conservative. That would...

Gilb: How did you feel about Harding and Coolidge, for instance?

Jones: Well, I had no enthusiasm for either of them. The broad distinction running down from the beginning of time is between the liberal and the conservative. Now there are different degrees. George Washington was the leader of the Revolution, a man who made it successful. But he was conservative compared to Thomas Jefferson. Their views on economic and political questions differed. So it is just a question of different degrees. But by and large my slant has been

Jones: toward what might be called liberal or progressive movements, causes, issues, principles. That was probably naturally ingrained.

Gilb: Were you ever tempted to vote Democratic?

Jones: Yes. After the Progressive Party had been absorbed by the Republican Party, there were times when the Democratic candidate came nearer the principles I stood for than the Republican candidate.

Gilb: Which ones?

Jones: I'd have to go back now and figure. Let me say this. My old seatmate, when I first went to Sacramento, was Frank Benson. In later years he said to me, "Jones, you and I aren't Republicans." (laughter)

You stand for principles and issues; you can't be tied down by parties. When a man is a candidate for office and is running on a platform, he's more or less circumscribed by the principles of the platform. That's one difficulty today. In the discussion of public issues, Republicans or Democrats have to follow along the party line. On the other hand, that's the reason I delight to hear these college professors give their exposition of public issues and international affairs. They're intel-

Jones: Iectually honest. They don't have to follow out a particular platform if they don't agree with it. That's the limitation on political candidates.

Gilb: I get the impression, as we were talking, that as a candidate every four years for the State Senate, you had to run on issues which really had no connection with national issues, and so you preferred to keep out of the national political scene for that reason?

Jones: Well, it wasn't a matter of preference; it was a matter of giving the voters what they wanted. I proceeded on the theory that selling yourself as a candidate is the same thing as selling goods. I got my lesson from an advertising firm, the Long Advertising Company, which was the advertising agency for one of our building and loan associations. Alvin Long said that advertising should not be a flash in the pan but should be continuous. To induce deposits for the building and loan association he'd advertise "Save money to get a nest-egg to buy a home." "Save money for a trip abroad." Each appealed to a different class. "Save money for the event of ill health." Then he'd recast those in different words and go round the gamut again.

Jones: With me, I saw that if a candidate went to the newspaper and had his ad there, and it said, "Herbert Jones, candidate for Senate, election August so-and-so," and ran that week after week, it would be stale stuff after the first time, so I'd arrange for that space and then each week change the wording. One week I'd play up educational matters. Support of schools. Teachers' pension. Child labor law, and so on. Then the next issue, the farmer's concerns. Standardization of fruit, water conservation, soil conservation. Next issue, business men. They were prepared so that the public would look for the ads and read them. A new group would be appealed to each time. In other words, I was getting full advantage of my advertising space.

I had to make my campaigns largely alone. Just once did I have any outside help. That was in 1918 when the churches and dry forces, organized under the Anti-Saloon League, got back of the "Dry Ticket," composed of Assemblymen T. M. Wright and Grant Bennett, and myself, candidate for the Senate. They raised \$4000. Other than this aid for the ticket of three candidates in the 1918 campaign, the only financial contribution I received was from Mrs. Charles D.

Jones: Blaney. She gave me a check for \$100 in several campaigns. Other than that I went it alone.

Gilb: You financed yourself?

Jones: Yes.

Gilb: That meant no commitments, of course.

Jones: That's the advantage of it. Didn't have any commitments. The one time I did receive aid was the wet-and-dry fight in 1918, just mentioned. That was a real clever campaign. The Dry organization put \$4000 into the campaign for T. M. Wright and Grant Bennett and myself on the platform of the ratification of the 18th Amendment. They went down to the county clerk's office and found a lot of people registered declining to state their party affiliation. So they'd contact them and say, "Now you're going to have no influence in the primary unless you register as a Republican. If you believe in the Dry cause, the 18th Amendment, you will have to register as a Republican so you can vote for Jones and Wright and Bennett." Then they went to the Democrats and found those with whom the Dry cause was stronger than party affiliations. "Go down to the clerk's office and change to Republican; we've got to get the nomination for Jones and Wright and

Jones: Bennett; otherwise they're out." In that campaign, they set up headquarters, had a man there; \$4000 was spent on that campaign. We ran as a ticket. Grant Bennett was a labor lawyer, and he was strong in the precincts down here back of the gas works. I got just as big a vote there as he did. On the other hand, up in Palo Alto, where I'd graduated from college, and had connections with the faculty and alumni and townspeople, and he was unknown, he ran as strong as I did. We just ran as a ticket; we made that issue, we forced that issue. If time permitted, I'd go into details of that.

Gilb: Time permits; go ahead.

Jones: That was in the 1918 campaign, and we saw that to win, we'd have to make the 18th Amendment the sole issue. So went to the newspaper, and said, "We want this space here." In the first issue we came out and addressed our opponents by name. We said, "Congress has submitted to the states an amendment for national prohibition. Every voter is entitled to know before election a candidate's stand. If we're elected, we will vote "Yes." If you're elected, how will you vote? This space will be reserved free of charge one

Jones: week from today for your answer." Then a week went by, and we had that whole page of the newspaper divided into two columns, the "question" repeated and the "answer." The answer was a whole half page of blank space. Well, it was dramatic.

Then day after day we ran a series of ads. The first one read: "Lloyd George says, 'England is fighting three enemies: Germany, Austria, and booze. The most deadly of these is booze.' If we're elected, we'll vote for national prohibition. If you're elected, how will you vote?" In subsequent ads we quoted Pershing, or other national figures, always winding up with the challenge to our opponents: "How will you vote?"

Then we advertised with handbills. Palo Alto, down to Gilroy. "Debate. We challenge our opponents to a debate on the issue of national prohibition."

We got them once into a public meeting down at the Oak Grove School. We (that is, Grant Bennett, T. M. Wright, and I) told where we stood, saying that it was up to them to state where they stood. First they came out partly for the 18th Amendment, then they didn't want to come out too far, and then they'd back up. Well, they got themselves in such hot water

Jones: backing and filling, but not taking a definite stand, that we never got them into a meeting afterwards. But we advertised these all over the county. We'd go to Palo Alto, distribute these handbills, "Debate. We challenge our opponents to be at the high school, 8 o'clock, such-and-such a night to debate the issues of the campaign."

Then in our continuing daily newspaper ads we'd have "Pershing says," and we'd quote one after the other prominent national leaders. At the election Grant Bennett and I, in the identical territory embracing the north half of Santa Clara County, led over our opponents for the Republican nomination by about 1,000 votes. We ran as a ticket, because in places where he was strong, I was just as strong as he was.

Gilb: What was he running for?

Jones: Assembly. In those days, the Assembly district and the Senate district in this county were co-extensive. Ordinarily in the vote for candidates, it depends on the individual candidate. But that year we got a very good test of making the campaign on one single issue.

Gilb: Did you ever have any close call on getting re-elected or were you always successful?

Jones: Well, except once, I always had a battle. One time I had no opposition, but every other time I had good stiff opposition, something you couldn't neglect.

Gilb: Had to go right out and fight.

Jones: Yes.

Gilb: You won by a fair majority, didn't you?

Jones: Very decisive majority. I figure that if you're in, you've got to get in all four feet. You're the representative of that group or party or belief and you've got to get yourself elected.

Gilb: And it would be maybe a different issue each year.

Jones: Yes.

Gilb: And never a national party, partisan issue.

Jones: No. In all my experience as a legislator, I never saw a national issue that was legitimately a state issue. Once in a while there'd be a resolution pitched in the Legislature to endorse the President or a United States Senator on this or that issue, but it was lugged in, making a state issue out of a national issue which was not legitimately before the state legislature.

Gilb: How much time do you estimate that you spent being a legislator, in a year?

Jones: A good deal more is required now than then. Although

Jones: the beginning of these investigating committees had its inception even then. I was on several committees, one that studied the educational system of the state. That really furnished the basis for our present junior colleges.

Gilb: We'll want to go into that later.

Jones: Another was--really the most controversial was investigation of the expenses in the campaign of 1920, by the power companies, to defeat what was known as the State Water and Power Act. I was chairman of that committee. That was during the session of the legislature; we called representatives up there.

Gilb: The legislature met a month and then we had a month recess. That recess didn't allow the legislator much leisure. You were home theoretically to hear the voters' views. Actually, they wanted to know from you, to be informed. They wanted your views. My first session including the February recess, went from January to May. Including the windup after the session, during the time that the Governor was hearing arguments and signing bills, it took pretty nearly six months out of every other year. Then, being an elective official, you were more or less campaigning all the time. You

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Jones: had an invitation to speak to a school or an improvement club, and so on. You accepted it. It was an opportunity to get before the voter. Today the legislators have to put in even more time; they have more of these investigating committees. It's been gradually increasing. In fact, years ago, a lawyer would get himself elected to Congress at Washington and still keep his office open at home. He'd be back there a couple of months, then the rest of the year he'd be practicing law. Now it is more and more a full-time job. It is getting to become somewhat the same with a state legislator.

Gilb: Did you keep your offices open, your law offices?

Jones: Yes. I had associates who would take the work when I was gone. Otherwise I either couldn't have gone there or--I just couldn't have gone. Had to have associates.

Gilb: And was it kind of an advantage to your practice, your being in the limelight this way?

Jones: Somewhat, yes. I was on the board of trustees at Hester School District. I got some work from contractors from that. I--yes, there have been a number of respects in which people hear about you and learn about you and come to you. So it's an advantage. In fact, a lawyer's

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Jones: stock in trade, his asset, has to be his acquaintance-ship. So it's a distinct advantage.

Gilb: Did you ever feel that anybody was trying to retain you as a lawyer for ulterior motives?

Jones: Only once.

Gilb: When was that?

Jones: I'll tell you what the thing was. I don't want to name the person. I was asked to appear before the city council in connection with an ordinance to prohibit trading stamps. I said, "I'm not familiar with the law on that." The party said, "All you have to do is be present there; we have a lawyer and he's done research into the cases." Well, there was a bill before the legislature where a lot of merchants didn't want the trading stamps; they wanted it eliminated. I knew right away that this was an attempt to get a favorable vote on that bill. But that's the only time.

Gilb: And you said, "No."

Jones: I didn't take the employment.

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BEING A LEGISLATOR; A LESSON IN DEMOCRACY

Gilb: Your problem of remaining independent from the pressure of special interests was simplified by the fact that it wasn't such a big constituency that you needed a lot of money, and secondly it was probably pretty homogeneous, wasn't it?

Jones: No, there were definite cleavages in those days. There was the ever present wet and dry issue. Then there later arose the question of state development of power projects. Possibly one of the most acute cleavages arose over labor and anti-labor legislation. But at any rate, after my first session, they knew my stand on those issues, and I was not subjected to pulling and hauling. Sometimes they'd put an opponent against me, but at any rate they knew my record.

Gilb: Did you find that you were opposed by labor interests?

Jones: First session I was. I guess my views liberalized after I got up there. I was in the law office of Sam Tompkins, who was a violent anti-labor man, and all unconsciously I absorbed some of his ideas. For example when on Labor Day the labor men would parade,

Jones: he'd make cynical remarks about their being compelled to or they'd be fined, and so on. Well, when I got up there to Sacramento, it was a very broadening experience to get to see both sides of the question. I think one of the most telling talks I ever heard for Sunday closing was by a barber. A plea to have a chance to go out with his family on a picnic, with his wife and children. Sunday to be a day of recreation. Well, that was by a labor man. Another very telling speech was the argument for free state employment agencies. The legislator said: "The worker says, 'All I've got is my hands. I want a job to support myself and my family.' It's an injustice to fine him or to collect fees from him for a chance to give an honest day's work." Now as time went by, I became more aware of the plight of labor, the working man, and more and more I came to support their bills; but never to the extent that I was regarded as a labor man. The first session, labor opposed me very bitterly for the re-election. Said I belonged to house of "have" as against the "have-nots."

Gilb: Despite your vote for workmen's compensation.

Jones: Yes. Despite that. They had a record of the votes.

- Jones: The test with labor that first session was the anti-injunction bill. That was the thing that they were very much for, that anti-injunction bill. And that was the test.
- Gilb: Well, I understand--I got this from Paul Scharrenberg--that Johnson helped defeat the anti-injunction bill, that it might have passed otherwise, but he had Al McCabe talk to his friends and get it defeated in the legislature. Do you recall that?
- Jones: No, I don't. Scharrenberg has a good memory, and would remember better than I on that bill. He was the one that issued this blast against me when I came up for re-election in 1914.
- Gilb: Oh, he did? What did he say?
- Jones: Well, he used that expression: "Jones belongs to the house of have and is not in sympathy with those who have not."
- Gilb: You had voted against the anti-injunction...
- Jones: Against that one, yes. My record is divided on labor test votes. I supported the Workmen's Compensation Act. I always had the railroad men with me. They weren't a part of Scharrenberg's State Federation of Labor. They were always with me. I voted for their

Jones: full crew bill and some others I voted for. So they supported me, and Scharrenberg this first time opposed me. Later on, my record was more favorable, so that Scharrenberg endorsed me. But I was never labelled a labor man, not like Senator McDonald of San Francisco, who just implicitly followed any endorsement that labor made.

Gilb: While we're on the subject of labor, did you ever get involved in the Mooney case? I know Young was considering pardoning Mooney.

Jones: My files are full of leaflets and pamphlets and so on, but I never--no, I never was asked to speak to the Governor on that. In fact, I never went into it thoroughly enough to be quite sure in my own mind what the facts were.

I was in the first Citizens Military Training Camp out here on the Pacific Coast. They had one the year before at Plattsburg in Pennsylvania. Then they had one in 1916 in Del Monte. There were 1200 civilian soldiers down there, and 800 regulars. On Preparedness Day (July 22, 1916) the civilian soldiers were taken up to San Francisco. We marched down Market Street in platoon formation, and to the rear of my company, many

Jones: blocks off, I heard a dull thud. We went up to the civic center and passed in review. Then we were told that we were dismissed for the day, after first going down to the Southern Pacific Depot and stacking our arms. We were to go back to the depot and stack our rifles. Then we had the rest of the day.

Taking a streetcar back from the depot, the people were just buzzing with excitement. A bomb had gone off: people had been killed. That was 1916, 22nd of July, when that explosion occurred. As to Mooney's guilt, I don't know. My seatmate, Frank Benson, used to say, "Well, if you are bothered with a rat and you set a trap and catch a rat, you've never seen him eat the cheese; you don't know whether he's the culprit. But you're morally sure when the cheese isn't bothered any more that you've got the right rat." The chief witness for the prosecution afterwards confessed that what he said was false. That kind of shakes you, you know. When the main support of the prosecution is shattered that way. But I never went into it enough to be thoroughly satisfied in my own mind. It got to be a cause celebre particularly with the labor forces. But I never went into it, and never was asked to go

Jones: into the record.

On the subject of labor, I would like to say this. In my first session, we had the Industrial Accident Bill before us. The day we voted on that, a San Francisco paper was laid on our desks with banner headlines, that "California industries would be ruined," that they would leave the state and go to other states if you put on them the burden of this bill, that is, having safety devices: counter-sunk set screws instead of projecting set screws; having gears covered instead of exposed; electrical switches covered, and so on. We passed that bill my first session. The manager of the Pacific Manufacturing Company in Santa Clara had opposed me when I ran in my first campaign. Two years went by, and I went to see the president, Mr. Pierce, and he gave me an endorsement. The thing he approved was my vote for the Workman's Compensation Act. He said, "We never would go back to the old system. We hire an insurance company to pay our liabilities, we just pay the premiums, and forget it. We'd never go back to the system of having to defend lawsuits by injured workmen." Now that's just one example of the advance of public sentiment. In my own case, I developed a

Jones: tolerance for another man's views, developed a realization that the groups that appeared before the Legislature were sincere, advancing what they thought was right. I came to recognize that there were two sides. It was a very broadening experience. I frequently said that my first session in the legislature was the equivalent of a year in college. In the broadening of your viewpoint.

Gilb: Especially during those years, when they were making such rapid advances.

Jones: Every subject comes before the legislature. In a material way: agriculture, lumbering, mining, industry, manufacturing. Then mental development, the schools, universities, colleges. Teachers' tenure, salaries and pensions. Then moral legislation, the regulation of liquor, gambling, and so on. All these come before you, and you get to hear the best posted people. Outsiders can't speak on the floor, but can in committee. You get to hear the best posted people in the state or the whole country, on some of these subjects. So it is a very educational and broadening experience, and one that develops your tolerance.

One thing I should say: I ought to disabuse a

Jones: popular conception. The legislature doesn't lead; it follows.

Gilb: Follows whom?

Jones: Public opinion. They want to find out how the voters think.

Gilb: Now a while back you said that in the period between sessions, you were supposed to go back and find out what the voters thought, but you found out instead that they wanted to be informed.

Jones: Yes. They're interested in legislation; they want to know what's before the legislature. While the legislative recess serves as an opportunity for the citizen to learn what is going on at Sacramento, it likewise enables the legislator to find out what the public is thinking. In fact the legislator not only utilized this recess to ascertain public opinion, but always he is alert to what his constituents think and want. He has gotten into office in the first place because he's better at guessing than his competitor as to what the people want: on old age pensions or labor legislation or liquor legislation, all the different things of concern to the public. The system which splits up the state into 120 small districts is about as effective

Footnote added by Mr. Jones:

Mrs. Gilb has picked out an apparent contradiction, which she mentions on Page 48. There is, however, no real contradiction. The legislator essentially follows public opinion.

During the recess between sessions, the legislator tries to find out what his constituents think. With literally thousands of bills introduced, the public want to be informed on what these bills do.

On outstanding or controversial issues, the newspapers express themselves editorially, and organizations pass resolutions. The legislator is able to ascertain the trend of public opinion on these outstanding issues.

In talking with the individual voter, or in addressing groups, the legislator is frequently asked what the bills introduced at Sacramento provide for. In discussing these questions, the legislator learns the sentiment of the voter.

Jones: a way as you can get to find out what public opinion is. Once in a while a legislator misses it and may be out of step. If there's a referendum, people in his district may vote different.

In the main, our system of democracy tends toward mediocrity. It tends toward electing a man who is not too outspoken on too many hot issues, who listens and finds out what his people want. It is the inevitable tendency of democracy to select a man who stands for what the people want.

Gilb: Did you ever find yourself at issue with you constituents, and if you did, did you feel honor-bound to do what they wanted rather than what you felt?

Jones: Well, no. I didn't have that predicament, because as I say, after my first session, both my friends and my opponents knew pretty well where I stood. In the main, my friends didn't have to worry about me and my opponents knew there was no use to. But Senator N. E. Johnson, San Mateo County, was an example of a very fine man. San Mateo has a lot of South San Francisco and a lot of "wet" sentiment. He voted consistently "dry" on liquor legislation. He said, "That's the way I think about it and feel about it; if my people don't

Jones: like it, they can get someone else." He was a very fine man, that independent. In the main, I had the backing of those who had the same views as I had. The most troublesome in this county was labor; the sharpest division, at least my first session. Later I think I became more sympathetic with the workingmen's plight and problems.

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MAIN TRENDS IN CALIFORNIA LEGISLATION

Regulation - Licensing

Jones: I believe at the last meeting, I was outlining the idea that the Progressive movement in California, under Hiram Johnson, was not an economic revolt. It wasn't a case of striking for working conditions or opportunity to get land, and so on, but more a matter of civic revolt against the domination of the utilities. Along that line, one of the first things to be mentioned would be the regulation of utilities.

Utilities

There had been earlier, of course, the Railroad Commission Act, but the scope of that was extended under Johnson. During his administration it included the regulation of power companies, short-line railroads, streetcar companies, gas companies, and water companies, but as time went along, other functions or activities were brought under regulation. Railroads used to have as their classic motto "that country is best governed which is least governed," and that the

Jones: state ought to keep its hands off. They claimed that the power to tax is the power to kill. However, they executed a sudden about-face in 1915 with the advent of the jitneys in San Francisco and other cities, and with the advent of trucks on the highways. They about-faced and wanted their economic competitors taxed out of existence. So their earlier mottoes went by the board.

Auto trucks and auto stages were brought under the Railroad Commission, then other activities sprang up. Warehouses were put under the Railroad Commission. In other words, you couldn't build a storage house and accept merchandise and charge for it as a free, unregulated activity. You were brought under the Railroad Commission. The trucking industry was also brought under the Railroad Commission except for a man hauling produce on his own place. Its rates were fixed and the rules about setting up a new trucking industry were laid down by the Railroad Commission. That whole thing extended, of course, to other lines of business. Banks were licensed; building and loan associations were licensed; insurance companies were licensed.

Gilb: Not under the Railroad Commission, I don't think.

Jones: No, but by the state. They had their separate acts.

Gilb: What you mean is the whole trend of regulation then went on from there?

Jones: That's correct. Yes. The banks were regulated under the Bank Act. The Superintendent of Banks had the jurisdiction over them. Building and loan associations, through the Building and Loan Commissioner; insurance companies, by the Insurance Commissioner. Akin to that, of course, was the licensing of different professions.

Gilb: I'd like to ask you some detailed questions on the regulation of utilities. For one thing, I know that Jack Eshleman was made the head of the Commission at the time that Hiram Johnson came in?

Jones: That's correct, yes.

Gilb: I wondered what your assessment was of the job he did, and...

Jones: I think he was a very able man, and did a great service to the state. He was absolutely fearless. At one time, I think the interurban lines across the Bay--it may have been the ferry boats--wanted to raise their rates. They advanced the argument that it was confiscation not to

Jones: allow them a larger return on their investment.

Eshleman replied, "All these people who built their homes across the Bay and do business in San Francisco established their homes over there in reliance on the existing rates. Their property would be confiscated if the rates were improperly raised or increased."

He used this argument of confiscation against them.

Gilb: Well, what was the attitude of the companies which he was regulating toward him? Was he a hated man? Did they respect him in spite of it?

Jones: I think they respected him, because he was so thoroughly honest and fair. Yes. I would say they respected him.

Gilb: Is it your feeling that the Railroad Commission continued, all through the rest of its history, to be very forceful in enforcing regulation of utilities, or did it become more lax?

Jones: I think in the main, it has carried out the principles embodied in the regulation of utilities. I think at times it did become more lax. I remember at one time I sought to get a bill through the legislature that utility corporations--when they spent money here for political purposes, to elect or defeat a candidate, or to promote or defeat a proposition--would have to

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Jones: take the money out of dividends after they were distributed to stockholders, and not out of the corporate funds. In other words, not out of the utilities' funds. Certain members of the Railroad Commission backed that up. But there were some that didn't.

Gilb: When was this approximately?

Jones: Well, I'm not sure whether Clyde Seavey was still on the Commission--I would say it was about when Richardson was Governor, around 1923, because there were one or two of his commissioners who didn't approve or didn't endorse my bill.

Gilb: Did that bill ever get into law?

Jones: No.

Gilb: Never did. And nothing like it ever got into law.

Jones: No. The corporations take the money out of the corporation treasury. Restriction failed. So they take money for propaganda purposes, publishing of house organs, and political activities of their employees, paid for out of the corporate funds, and not out of the pockets of individual stockholders after the dividends or earnings are distributed.

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Building and Loan Associations

Gilb: I know you have been very close to the building and loan associations, and we don't have a very good picture of what that whole problem has been. I wonder if you could outline it for us.

Jones: Well, there has grown up the same theory as under the Bank Act and under the Railroad Commission itself, that a new association would not be permitted to start in a community unless it could be shown that there was a necessity for it. Right here in San Jose, when the occasion arose of an association trying to start, it was denied the opportunity to do so because the field was already filled.

The Building and Loan Commissioner's job was to pass on the publicity and advertising matter of the associations, enforce state laws, and particularly to control on the theory that a new association could not start up in a community if the field was already covered.

Gilb: Do you agree with that theory?

Jones: I suppose that capital which is invested in building and loan associations and setting up a loaning institution ought to be safeguarded against a flock of

Jones: competitors starting up, none of them being able to make a go. On the other hand, running through a good deal of this regulation is the attempt to stifle competition. I would think, though, that as long as it's honestly administered, it's probably a good theory.

However I secured the enactment of the provision in the Building and Loan Act that this regulation shall not apply to Mutual Associations, in other words, that Mutuels don't have to get a "certificate of convenience and necessity."

Gilb: You were president of the Building and Loan League, were you not?

Jones: Yes.

Gilb: What is that? Does that include all the building and loan companies in the state?

Jones: Yes. There may have been some small ones that didn't feel they could pay their dues but the State Building and Loan League welcomed members, and I think all of them were members.

Gilb: What is the function of that?

Jones: Well, they meet annually at a convention and have a program on matters that the associations are interested in: loan practices, legislation that associations are

Jones: concerned with, making comparisons with different associations on methods of appraisals.

Gilb: Do they try to impose any standards? Of performance or ratio of investment to loan?

Jones: The law sees to that.

Gilb: Well, how about the League itself? Does it try to impose any self restrictions? Or does it consider its function primarily to foster its interests in relation to other groups?

Jones: The latter is mainly the case. To advance its interests. There must be some cases, though, where restriction is necessary to protect the association, where they would stand for those restrictions.

Gilb: As a legislator did you consider yourself sort of a medium through which the building and loan companies made themselves known in the legislature?

Jones: Yes, that was one of the functions of the League. They had a legislative committee. That committee made recommendations to the convention and they appeared before the state legislature with bills that they would like to have passed. Or to head off bills they thought were inimical.

An interesting chapter is the struggle associations

Jones: had to get to use the word "savings." To call themselves "savings and loan associations." I accomplished that for them in a kind of roundabout way. The act authorizing the creating of building and loan associations said that "the purpose shall be to encourage savings, promote thrift," and so on, but whenever we tried to get a provision in so many words that they could call themselves "savings and loan associations," the banks opposed that. I finally got an amendment in, that associations should be entitled to set up in their advertising the purposes for which the state law said they were organized, and since the state law said they were organized to encourage savings, that they could use the word "savings."

Gilb: In other words, there's been a jurisdictional dispute all along between the banks and the savings and loan associations.

Jones: In California, yes.

Gilb: In California. How do the savings and loan companies feel about the branch banking issue?

Jones: I would think the same as the banking fraternity itself. Some banks were favorable to it; others not. And some building and loan associations have branches--

Jones: that's not become very extensive, though.

Gilb: I mean how do they feel about the extension of bank branches? Do they have any feelings on that subject? In other words, do they feel it's cutting in competitively into some of their field?

Jones: Well, I don't think the matter of whether the competition comes from a branch or the main office is a factor. I think their attitude about branches is the same as that of the general public--some favor it and some don't. Some think it's a monopolistic tendency and greatly entrenches the institution, and others think it renders benefit. I would think the building and loan associations looked upon the whole branch movement much the same...

Gilb: With divided sentiments.

Jones: With divided sentiments.

Gilb: That brings up another question. Are there sharp conflicts between different groups of building and loan associations in the state? Different types?

Jones: Well, there was something of a competition between those that were truly mutual and those that were capital stock associations, all those that had guarantee stock, where the guarantee stock skimmed off the profits

Jones: above a certain amount awarded to the depositors. In a purely mutual association, the earnings, after setting aside a reserve, are distributed to the shareholders, the members; and sometimes they get more than the current rate of return paid by other associations. The tendency has been for associations to organize on a capital stock basis and to depart from the mutual type of organization, so that most of them have become guarantee associations.

Gilb: Do you approve of that kind of thing?

Jones: Well, it has advantages and disadvantages. I got an act through the legislature that the commissioner could not deny a charter to a mutual where he might to a guarantee. In other words, I felt that mutuals should not be tied. We tried to protect them. In time of financial stringency, a mutual has a certain ability to weather the storm, where a guarantee doesn't. In mutuals, they all sink or swim together, and no one class is preferred and can insist on having, ask to have, its savings paid out to it; but at the guarantee, there is a preferred class, and in the 1930's, many associations were hit very hard, and many of them couldn't weather the storm and the guarantee stock

Jones: was just wiped out completely. And even then there weren't funds enough from the payments on loans to pay out in full to the investors. That was a nation-wide depression. The association had to be in fine shape to weather that storm, but I think the ones that weathered it best were mutuals.

Gilb: How do you account for the trend toward guarantee stock?

Jones: Oh, there's an incentive for skimming off the profit. A certain amount is paid to the depositors. It was a little bit larger than banks pay on savings accounts, but the profit above that was available to the holders of guarantee stock. So that the management, those running the association...

Gilb: Could make more money.

Jones: Could make more money.

Gilb: In other words, it's a sort of capitalistic trend.

Jones: That's correct, yes.

Gilb: And you, you personally, would tend to be more in favor of the mutual.

Jones: Yes. I wanted to see mutuals given full opportunity. Associations originally were all mutual, and I favored giving them the greatest latitude to organize and

Jones: continue on that theory. Others wanted to organize guarantee associations; that's okay too, but they ought not to suppress the mutuals.

Medical Licensing

Gilb: You were going to talk about the licensing of professions, and you said you thought this was a trend away from the guild system, is that...

Jones: No, on the contrary, I think it's the guild system through legislation seeking to monopolize activities. Now of course some of the old professions were long since licensed; lawyers, doctors, dentists, but there has been an increasing tendency for other groups to ask the benefit of state license. For example, in the medical practice. There were first allopaths and homeopaths. Then in my time in the legislature sprang up the controversy with the osteopaths. Then came along the chiropractors. There was some type of cults and healing art that called themselves "naturopaths". And the story is told of an old-time legislator who was asked to support a bill in the legislature to organize another group. He'd gone through the controversy with the allopaths, homeopaths, and the osteo-

Jones: paths, so he said, "Give them their bill. All paths lead but to the grave."

Gilb: I remember that the medical societies at one time virtually regulated themselves. They got to choose their boards, and then this power was gradually taken away and the boards were appointed by the governor. Without having to consult with the societies. And then, I think in the early twenties, the chiropractors and one of these "paths"...

Jones: Osteopaths.

Gilb: Yes. Had a bitter fight and wanted the right to be regulated separately. Do you know anything about that situation?

Jones: I certainly do. I was right in the midst of that in my first session. I was appointed chairman of the Senate Committee on Public Health and Quarantine. The Lieutenant Governor explained that was because there were a good many of these conflicting medical practice acts and he wanted a chairman of the committee who was not interested in any particular practice and didn't have any preconceived ideas. We worked very hard and thought we had the problem solved by having medical practice classed under two groups: first, physicians

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Jones: and surgeons, and second, drugless practitioners. But we'd no sooner adjourned and turned our backs on Sacramento when the war broke out; the medical practice board was claimed by the drugless practitioners to be unfair.

The next session we tried to remedy the situation by having a department of professional standards, and a non-medical man at the head who would license all of these different cults. Well, that bill was defeated in the legislature, but the controversy between the different schools of medicine had grown so acute that the osteopaths and chiropractors turned to the initiative. They had the old-time medical practitioners at a disadvantage because in that campaign on the ballot was a measure to license osteopaths and another to license chiropractors, and then the humane societies had a bill to outlaw vivisection, and the combined war chest of these three different groups swamped the medical men. Let's see if I remember--at least the two carried for the osteopaths and chiropractors--but it was a case where the side that put in the most money for propaganda purposes was able to carry the election. I've forgotten what year that was, but that was in the

Jones: twenties some time. The osteopaths and chiropractors gained their standing under the initiative.

Gilb: Did you approve of that?

Jones: I believed in high standards. That's the reason we worked so very hard my first session to provide for the division into two groups. Physicians and surgeons and the drugless healers. In other words, our idea was that the public, in patronizing a particular practitioner, would know whether he was a physician and surgeon, or a drugless healer. But the licensing was done--at least the osteopaths claimed--in such a hostile way that they were dissatisfied with it. As I said a little while ago, the next session we tried to get a disinterested and unbiased administrator who should be the head of professional standards, not come from any school of medicine. But that was defeated. So at the end of that time, some of the members said, "Well, a plague on both their houses."

Regulation of the Bar

Gilb: You must have been in the legislature at the time the diploma privilege was withdrawn from the law schools and the board of bar examiners was set up. Remember

Gilb: whether there was any argument over that change?

Jones: In my first session, I introduced a bill that graduates from Law School of the University of Santa Clara here, in my county, should be admitted to the bar without examination. Pretty soon the San Francisco delegation was strong enough to get through a bill licensing the graduates of a night school in San Francisco. Then the legislature came to see, and the profession came to see, that the standards were being lowered by admittance of graduates of these schools that gave short courses. So then the privilege was taken away from all of them. The stronger law schools favored taking it away from all of them and having their graduates go up against examination.

Gilb: It was the strong law schools themselves that wanted this.

Jones: Yes.

Gilb: I knew that you were one of the people who was rather doubtful about giving the right of self-regulation to lawyers in the State Bar Act, 1927. What were your feelings about that?

Jones: I felt that it would be a precedent whereby one profession, or one activity after another, would ask the

- Jones: same right, and I didn't see how we could deny it to others when once granted to the bar. Afterwards I was chosen from this district to be on the State Bar Board of Governors; my county was in the district with Alameda and Contra Costa. So I was on the Board of Governors and got to see how the State Bar Act functioned, and I became converted to the efficiency and desirability of that type of administration.
- Gilb: In other words, where the lawyers would pass their own rules and administer their own affairs--subject to Supreme Court supervision.
- Jones: Yes.
- Gilb: Well now, you opposed this originally on grounds that it might be a precedent, and then you later saw that it was a good thing. Do you think it could equally well be applied to other professions?
- Jones: It has, in a limited way, to real estate men. They had a realtor's license act set up. So that instead of any man starting in a real estate office and selling real estate, he now has to meet these state requirements.
- But coming back to the bar, I was president of the Santa Clara County Bar Association at a time when we had disbarment proceedings against several lawyers. Some

Jones: had embezzled money from their clients and some had been involved in bribery in official capacity. We had charges against five in this county. But it was a Herculean job to get those proceedings through. I had to appoint a grievance committee and it took pretty strong men who wouldn't be subject to influence, and then their recommendations were presented to the entire bar, and there was the necessity to get them approved by--it was quite a task to get a good turnout. If there was just a limited turnout, it would be just those who were friends of the accused and the Bar Association might not recommend disbarment. So I went through those very strenuous proceedings, in the case of five lawyers in this county--and on our recommendation the Supreme Court disbarred three of them and suspended a fourth one for a limited time. After I was on the Board of Governors of the State Bar, I could see how much more efficient was the system as administered by the Board of Governors. So that I had to confess that my objections were more or less academic. Because the democratic processes of local bars didn't function very well, whereas when there was a Board of Governors and charges were brought against a lawyer...I may say

Jones: in passing that a great majority were because of the economic plight of a particular lawyer, especially in the depression of the thirties...

Gilb: Yes, that's an interesting point.

Jones: They'd make a collection for a client and before they disbursed it, they were pressed for money for a grocery bill or rent or something, and they'd pay it out, thinking that another collection would enable them to take care of what they owed to their first client, but the money didn't come in, and they weren't able to make the re-imbusement, and charges were brought against them. So the great majority, the vast majority, were defalcations due just to economic conditions.

Gilb: Have you noticed any major trends in legal ethics, any differences in what is considered ethical today as say 20-30 years ago?

Jones: I think there's possibly a tendency to adopt new rules and enforce other rules a little more strictly. One of the main things has been the controversy among lawyers themselves about what was legitimate advertising. It's not supposed to be ethical for a lawyer to advertise. Well, if he puts an ad in the paper soliciting business, that's regarded as unethical. But

Jones: If he joins an Improvement Club, or makes himself prominent in the Chamber of Commerce or church, he may have that in mind as a means of getting business; you can't prevent that and you can't really call it unethical. The same thing can be accomplished--getting business by getting oneself known in a lot of ways, 101 ways besides newspaper advertising. But the biggest controversy has been over the matter of advertising. And of course more particularly in relation to auto damage cases, there have been abuses there where firms will subsidize somebody in the motor traffic department, motor traffic office, to report accidents to them first so they have an advantage over others.

Gilb: Did you have any cases of that right here in this county?

Jones: Yes, there's that kind.

Gilb: Did the bar take action?

Jones: Well, I know there've been a lot of complaints, mutterings, you might say, by lawyers; when I was on the Board of Governors, there were some complaints. I talked with the men against whom the complaints were made. I told them these things were being said about

Jones: them and they'd better be careful not to violate the ethics, but it's nothing unlawful. There's a borderline as to just what is ethical and what's not ethical. But that's been the main difference among lawyers. Over this matter of advertising and as they say, ambulance-chasing.

Gilb: Would you say that since the State Bar has come into effect, lawyer's ethics, the ideals, are no different, but the enforcement is much better?

Jones: I would think that's it. I don't think the ideals are any different from what they were before, but I think the enforcement is more effective. That's the reason why I became satisfied with the self-governing bar act, even though I'd opposed it first. When I made such a statement, Mr. Wittschen, Ted Wittschen, who was then president of the Board of Governors--I think it was at a dinner given us by the Bar Association, either of Los Angeles or San Francisco--said, "Jones is a prodigal son; he's returned." (laughter)

Nurses

Gilb: Did you want to say more about the subject of licensing?

Jones: Oh. Well, let me see. Yes. It's been extended to include nurses. Registered nurses. There was a bill that was introduced by a member of the Senate, but since I was chairman of the Senate Committee on Public Health, I practically had to nurse through the nurses' bill. And it was passed; strange to say, some doctors opposed it, but it was passed. A woman by the name of Miss Jamie was appointed the first director of the board regulating registered nurses. They had quite a battle to get established. Later on, the registered nurses in turn were not as sympathetic with the practical nurses, when they wanted to get themselves recognized. So it's human nature. There was something of the guild system running through it. It's been extended to real estate men, contractors, accountants, barbers, beauty parlors, quite a tendency, and it's hard to tell how much of it is for the protection of the public and how much of it is an attempt to stifle competition.

Gilb: Could you elaborate on that a bit? This is something I've been wondering about, concerned with, for a long time. Which was the paramount motive?

General Principles

Jones: I think probably, on the part of many back of the movement, it was a desire to prevent, to stifle competition. The procedure was generally the same; those who were already practicing before the act were blanket-ed in. Thereafter, anyone competing with them had to go through an examination. Those examinations have been made progressively more stringent, and a longer period of preparation required. In the case of some of these professions or activities, there were very conscientious, high-minded people back of the legislation. I just couldn't say which were the more numerous, but both influences, both interests, have been involved in all these acts. Some thought it was a good thing for the standing of the profession or their group or activity to raise its standards, and others were just interested in getting themselves protected behind a license so it would not be easy for others to get in and compete with them.

Gilb: I guess the public gains by having high standards for these professions, doesn't it?

Jones: I think so; yes. Although I know that many years ago, Dr. Stocking, medical superintendent of the Agnew State

Jones: Hospital, said he favored abolishing all licensing of doctors, that those who were most proficient in practice would finally get a reputation in the community, and they would get the practice, so he favored abolishing the whole thing. But that's an isolated viewpoint compared with the attitude of doctors generally and the public. I think as a protection to the public that there has to be some requirement for training and experience.

Gilb: Let's sum up this whole topic of regulation, which you've been connected with as a legislator. You feel in general that there's been an increasing trend toward regulation, and you have not in general been against it.

Jones: No, I think, in general, it's made for a higher standard. I didn't see why a real estate man needs to be licensed; I thought--at least at first--that that was just a business. But I think that it's operated the same as the others; they have pretty high standards for the appraisals of property and the activities of realtors. I would say I think the public has benefited by these regulations.

Health and Welfare

Jones: Now then, we've been talking about medical practice and these bills before my committee. We can go on to the subject of health regulation.

My first session, as I've said, I was made Chairman of the Committee on Public Health and Quarantine, primarily because the Lieutenant Governor wanted someone who did not take any sides and had no preconceived ideas on this medical practice regulation, no favoritism as among the different schools of practice. The State Board of Health generally gave the Chairman of the Committee its program of bills. At that first session, at their request, I introduced a bill to abolish the common towel in places of public resort, like schools and depots, and so on, and the common drinking cup. The joke on me was that after the law was passed and the health inspector blew into my office one day, he went into the anteroom and found out we still had the old common towel and common drinking cup. (laughter) So he said, "You'd better obey your own law." We forthwith put in paper cups and paper towels and complied with the law. As population increases and skin diseases spread, legislation of that kind was necessary. In

Jones: other words, it came from a need.

Right after that, I introduced a bill which provided for the Sanitary Commission, that should have jurisdiction over fresh-water streams. In the early days of the country, when there was a small population, fresh-water streams were not contaminated. Oyster beds at the mouth of streams were not affected. They didn't need that legislation. But as sewage was dumped into the rivers and factory waste and so on, that legislation was necessary. And that commission today has jurisdiction over cities dumping sewage into tidal basins and the bays.

Then the legislation giving health authorities supervision of food markets. That again is necessitated by growing population. In a little neighborhood village, the farmer brings in his produce and it is sold locally; supervision isn't necessary. But in big cities there has to be inspection of poultry and meat. In fact, your only safeguard that the meat that the butcher sells you doesn't come from tubercular animals is regulation by health inspectors.

Pure Milk Bill

Same thing is true with milk. The only protection

Jones: a mother has that the milk she is giving to a baby is pure milk comes from the inspection by public officials. In that connection, my second session, I think it was, my colleague, Senator Luce from San Diego, introduced a pure milk bill. That was not a very sweeping bill; it required either of two things, either that the milk be pasteurized or that it come from animals that have been tested and found free of tuberculosis. One or the other. Tested animals or pasteurized milk. The big dairies, I think, were all favorable to it, but a lot of small dairies protested. I remember a Senator from Southern California who was fighting the bill read a letter from Dean Hunt, head of the College of Agriculture, University of California, in opposition to the bill. The afternoon paper, The Sacramento Bee, came out with headlines, "Dean Hunt Puts Crusher on Pure Milk Bill."

Well, the bill was sponsored by the women's clubs of California, the Federation of Women's Clubs. The woman handling it was a little lady named Mrs. Webster. She went into the State Library, and got the bulletins, publications, of the College of Agriculture, issued by Dean Hunt. She put one of those bulletins in the hands

The first of these was the discovery of gold in California in 1848. This led to a great influx of people to the state, and the population grew rapidly. The second was the discovery of gold in Nevada in 1859. This also led to a great influx of people to the state, and the population grew rapidly. The third was the discovery of gold in Colorado in 1858. This also led to a great influx of people to the state, and the population grew rapidly.

The fourth was the discovery of gold in Idaho in 1860. This also led to a great influx of people to the state, and the population grew rapidly. The fifth was the discovery of gold in Montana in 1862. This also led to a great influx of people to the state, and the population grew rapidly. The sixth was the discovery of gold in Wyoming in 1863. This also led to a great influx of people to the state, and the population grew rapidly. The seventh was the discovery of gold in Utah in 1864. This also led to a great influx of people to the state, and the population grew rapidly.

The eighth was the discovery of gold in Arizona in 1865. This also led to a great influx of people to the state, and the population grew rapidly. The ninth was the discovery of gold in New Mexico in 1866. This also led to a great influx of people to the state, and the population grew rapidly. The tenth was the discovery of gold in Texas in 1867. This also led to a great influx of people to the state, and the population grew rapidly. The eleventh was the discovery of gold in Louisiana in 1868. This also led to a great influx of people to the state, and the population grew rapidly.

Jones: of Luce. When his turn came to answer Dean Hunt's opposition to this bill, Luce read from the bulletin of the College of Agriculture wherein Hunt recommended that even in the feeding of hogs, they use pasteurized milk. Luce said, "Pure milk for hogs, but not human beings." Well, it crushed Hunt's opposition completely.

I just mentioned pure milk as an example of how the increase in population necessitates supervision by the public officials. So these things are an example of that--well, an example of the philosophy of the progressive movement. It sought to better conditions along all lines: physical wellbeing, health, educational opportunities, and moral conditions. It was a philosophy. I may have mentioned last time that my colleague, Frank Benson, was approached by some W.C.T.U. women who had been supporting legislation or sponsoring legislation restricting saloons. Some of these women were not in favor, I think it was, of the Workmen's Compensation Act. He said, "Ladies, we are actuated by a philosophy that is for the improvement of human conditions and well-being, not only along what your interest is in, moral lines, but also economic lines and industrial lines." Likewise there were cases of school-teachers who wanted a teacher's pension for themselves

Jones: but didn't want any of these other legislative measures that might impose a financial burden on part of the state. So that movement there, in those days, under Hiram Johnson, Eshleman, and the Progressives, embodied a philosophy for bettering conditions of human society along all different lines.

Women's Eight Hour Law

Now in connection with that, there's that whole subject of welfare. In my first session, we enacted the "Women's Eight Hour Law." That's because of the interest of the state in the health of the future mothers of the race. Didn't want them over-worked. We made an exception in the case of perishable fruits, but the basic theory was to protect the women workers from being compelled to work too long or being exploited.

Gilb: I have a note that E. T. Earl, who of course was one of Johnson's backers, violently opposed that law. Do you remember that?

Jones: Well, whether he represented the fruit interests or not in opposition to that amendment, or whether he opposed the law generally, I wouldn't be able to say, but I

Jones: know that the fruit interests opposed the law until it was amended to exempt perishable fruits and crops. But of course anything that upsets existing order meets with a certain amount of opposition. That's been true when the attempt was made to cut down the working hours from twelve to ten, and likewise from ten to eight. But I mention that as one of the welfare measures that the legislature put through back in my first session.

Child Labor; Adoptions

Then regulating newsboys, the age at which they could sell newspapers or how early they could work. I handled the amendment to the federal Constitution providing for the National Child Labor Law. That's another example of welfare legislation. Mrs. Saylor, who was a member of the Assembly from the Berkeley district, after she retired, was appointed, I think by Governor Young, the head of the Welfare Department. I handled for her, for that department, the amendment about adoptions. Seeking to protect the adopting parents and also the child. Both sides to be protected. Protect the foster parents from having a child afflicted with insanity or syphilis or some incurable disease

Jones: foisted on them--they would become attached to it and have heartbreak to find that the child was affected with some incurable melody. On the other hand, to protect the child from being adopted by people who simply wanted a wage earner, bringing up somebody to work and garner its wages. So there has to be an inspection by the State Welfare Department into the suitability of the future home and also whether the child is one that is all right to adopt. That's an example of that legislation.

Labor Welfare

Jones: Did we mention Workmen's Compensation Act?

Gilb: You said something about it; do you want to say something again?

Jones: Another thing is the Workmen's Compensation Act. We had--well, the session before, a partial advance had been made by Senator Roseberry. Whereby what they called the old common-law defenses were removed. The employing interests in England had gotten the law in such shape that if a man was injured in his employment, the employers could set up what they called the assumption of risk, that this was a very hazardous occupation, and that by going into it, the worker assumed the risk.

Jones: If it was unusually hazardous, he was deemed to have assumed it. Assumption of risk. And another, that he couldn't recover against the employer, if a fellow servant were negligent, if two fellows were carrying a heavy timber and one of them dropped it carelessly.

Two years later, 1913, came around to my first session, we moved up still further and had the law provide that in case a man was injured in employment, he was entitled to recover except on two conditions; one, if he were drunk in his employment, the other, if he deliberately injured himself, as by sticking his hand or foot in the machine. In those two cases, there was no recovery. But otherwise, the employer couldn't put up any defense or excuse that the working man was somewhat negligent or careless; the employee was entitled to compensation unless he was drunk or unless he deliberately injured himself. Then the protection of the employer was to take out insurance. In order that the employer should not be taken advantage of by the private companies, we set up a state fund, so that people, if they wanted to, could resort to the state fund, which was in competition with private companies.

In my first campaign, the manager of Pacific

Jones: Manufacturing Company, which was a large lumber mill company in Santa Clara, opposed me. Two years later, the president of the company gave me an endorsement, and he based it on this fact. He said, "We never would go back to the old system of having to stand off lawsuits. We just pay our insurance premium and let the insurance companies take care of everything."

Prison Reform

The whole field of prisons and reform schools and asylums is another example. There was terrible abuse in the prisons when Johnson became Governor. They had the strait-jacket. Men were strapped to a board with their hands and feet tied, given a powerful cathartic, something like Mussolini used in later years. The strait-jacket and some unbelievable tortures. Johnson outlawed all of that. He appointed as head of the prison at San Quentin, James Johnston, Jim Johnston, whom I would describe as a practical idealist. I made a visit up there. He had the prison physician, Dr. Stanley, take me through. Men who wanted to rehabilitate themselves, they sought to give training in the departments where there were crafts. The state made,

Jones: the prison made, a lot of furniture--desks and chairs and office furniture and so on--so the men got a training there, if they wanted to better themselves against the time when they were going to get out. An analysis showed that most of them went in as young men for two or three years and were going to get out in their middle twenties, with their life ahead of them. Jim Johnston, figured that the state had an obligation to turn them out as better citizens. For anyone who wanted to better himself in some line of education, arrangements were made with the University of California; they had correspondence courses. If a person wanted bookkeeping, accounting, or any of a lot of different subjects, he could get them by that correspondence course.

Those were examples of bettering prison conditions. At that time, the warden of Oregon had the honor system, which was advertised a great deal throughout the nation as a method of administering prisons. Jim Johnston said, "It won't work as a universal system. Most of these men are here because they are lacking in a certain moral fiber." He said, "I can, however, pick out men that are here for life and who have no hope, to

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Jones: whom there would be every incentive for escape. I can give them a note and tell them to go to Sacramento and deliver it to the Governor and come back, and they'll come back. I can pick out some men that will do that. But you can't run a prison on that basis as a whole, as an institution." He was a practical idealist. He knew when restraint was necessary. On the other hand, they would give the men an opportunity to better themselves against the time that they were going to get out...

In Whittier, they had at the reform school, a man named Nelles who was the head of that. When he went in, the guards were mostly former deputy sheriffs, a pretty hard-boiled bunch. He at once disarmed all of them. They said, "It won't work. The young men will set on us and kill us." But Nelles had them disarmed, and he set up a school that turned out to be a model throughout the country.

Hospital for Insane

Then in the case of our hospitals for the insane. I remember as a boy, I lived in Nevada. The hospital for the insane was out east of Reno in a four-story

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Jones: brick building. I used to ride by on my saddle horse, and the poor inmates would stand at the windows, pressing at the bars and screeching at the passersby. Well, you go by the Agnew Hospital; it's almost like an old people's home. In fact there's a story of some tourists who were coming up from the south, and when they got to San Jose, instead of going up the Peninsula, they took the train that went up the Oakland side. When they went by Agnew's with lawns, trees, and nicely kept buildings, they said, "So this is Stanford University." (laughter) Nowadays they have very few of their inmates under physical restraint. They are handled intelligently. The old method used to be for a deputy sheriff to take a person to the Hospital charged with insanity--he was taken to the Hospital by a deputy sheriff. And sometimes they would struggle. In one case the deputy sheriff bound the wrists together with belting wire. And the poor patient struggled and tore until his wrists were bleeding where the wire had cut in. Now they have them taken out by an attendant. If the patient begins to get violent, the attendant just gives him a shot of the hypodermic needle to calm him down. In other words, they know how to do it. They

Jones: have him handled by experts who are familiar with that work. There at the Hospital, they long since learned how to treat the violent cases. They use hydro-therapeutic treatment a good deal. Immerse them in warm water nowadays. Instead of just incarcerating them there, leaving them there, they're seeking to develop as high a percentage of permanent cures as they can. And then they're advancing even further and seeking prevention, setting up clinics in cities, where people can bring their relatives who are beginning to get disturbed, where they can consult with the authorities there, these experts, and get their advice as to how to relieve the strain, the tension, and seek to prevent them breaking down. Even more, today, there is still a new field that is being fostered by the hospitals: research. So these are just examples of forward-looking attitudes. Trying to do something constructive for the men in prisons, reform schools, or asylums.

We have the same thing with the rest homes. There have sprung up homes for elderly people. They have to be supervised to see that the elderly people are not mistreated. Right now there has been a legislative committee making the rounds. In this part of the state.

Jones: And I think as a result of that, the license of one of the rest homes has been revoked. At least it has thrown up its hands because there were so many charges against it.

Miscellaneous

We enacted a law providing that office buildings should have a seat for elevator operators. In most of them is a little seat on a hinge against the side of the elevator that you put down at the end of a run if there are no passengers, so the elevator operator can use it, sit down on the seat there. At the time we passed that, quite a protest went up from owners of some of these buildings. "That just wouldn't do; the operator wouldn't be diligent."

We had a law for semi-monthly pay by employers. Making pay more frequent than once a month: twice a month. I received a letter from a prominent banker here in San Jose who said that would put an undue burden on the bank. He just protested violently against paying his employees twice a month.

Well, those are examples of the conservatism of public opinion, the hostility toward any changes and how some of these things come in the face of past

The first part of the paper discusses the importance of the study of the history of the English language. It is shown that the history of the English language is a very complex and interesting subject, and that it is one of the most important branches of the study of the English language. The second part of the paper discusses the importance of the study of the history of the English language. It is shown that the history of the English language is a very complex and interesting subject, and that it is one of the most important branches of the study of the English language.

THE HISTORY OF THE ENGLISH LANGUAGE

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Jones: custom. The general trend, of course, is for advance, and the legislators were aware of that.

Gilb: The problem is that each individual group wants advance for itself but doesn't want to pay for advance for the other people.

Jones: Absolutely correct.

Pensions

Jones: Along the line of welfare legislation, my first session we had the teachers' pension measure up, which brought about very bitter opposition, but we finally enacted it two years later. At the next session we passed the teachers' pension law. And from that we went on to pensions for police, permitting police department pensions and fire department pensions, local employees, city employees, to organize and have pension systems. Also the county employees, and there's a state employees system. It was realized that there was going to be quite a financial burden, the old age pensions. I might mention first, the mothers' pension. If a child were left an orphan, or half orphan, if his father was killed, then the mother was entitled to get some aid for the youngster if the youngster was under

Jones: the age where it could earn something for itself. That pension has been a godsend to a lot of mothers whose husbands were killed and they were left with little children on their hands. More of a burden than they could carry alone; the state helped out.

I started to mention the old age pension. That was slower in coming because it was realized that it would involve quite a financial burden. The start was made by having an investigation of the old age pension theory. There'd be a report made and the next session there'd be further investigation and a further report. And so on until finally the old age pension was established. And since then, it has been liberalized by an increasing amount.

Those are examples of that welfare legislation which is one field of the advance made by...

Gilb: And, in general, you have approved of each of these...

Jones: Yes. I supported, I think, all of those. In fact I was the author of the resolution whereby California ratified the National Child Labor Amendment. Also of the amendment to our State law on adoptions.

Gilb: You had the backing of most of your constituency, didn't you?

Jones: Yes. There were women's clubs and schools and teacher's associations and it was a pretty progressive county. It had Stanford University in the north end, San Jose State College; and then there were several private colleges: the University of Santa Clara, the College of the Pacific, institutes of music, commercial schools, and so on, so it was a progressive community.

Well, to go back just a little. That whole field of welfare legislation, you can see, is a great departure from the old doctrine of laissez-faire, hands off, state keep out. It involves the realization that the state has a responsibility and that it is to its interest to look out for, to provide for, its citizens, particularly those like working mothers, young children, or unfortunates in prisons or asylums, reform schools, rest homes. The state has to exercise some concern.

Oriental Exclusion

Gilb: One of the very important things progressive Republicans stood for was alien exclusion; they were pretty strongly anti-Oriental. I wonder if you would tell me what your feelings are on that subject.

Jones: I was elected as an Independent, but I had the endorse-

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Jones: ment of the Republican County Committee and my opponent was endorsed by the Democratic County Committee. Then came the so-called Progressive, or Bull-Moose movement, under Theodore Roosevelt, Hiram Johnson. The Progressive party was at its peak in 1914, following the year when I first went to the legislature. After the election of 1914, the third party movement began to subside. It became later a contest to capture control of the Republican party. But so far as the anti-alien land legislation is concerned, that was supported by the party in power, the Progressive party in 1913, but it reflected a very general state-wide movement, a strong sentiment. In view of conditions today, we realize that it was somewhat of a passing sentiment, but the feeling was very strong. It's amusing now. In those days a labor lawyer would never have thought of hiring a Japanese girl for a secretary, but today one of our prominent labor lawyers in San Jose has a Japanese secretary. After World War II, farmers in some of the sections in Central California put on their fences signs saying "No Japanese Wanted." That's all changed. Today, Orientals are members of service clubs, and integrated into churches; the sentiment is

Jones: entirely changed. But at that time the feeling was very strong. I remember an incident when a Japanese society here in San Jose, evidently wanting to explain their side, invited legislators to a dinner. We hesitated in replying; it was then politically unpopular. And while we were hesitating for several days, the Japanese to save face sent us another communication saying that circumstances had made it necessary for them to call off the dinner. The farmers around Elk Grove on the outskirts of Sacramento were very, very bitter. Organized labor was, too. But I wouldn't want to give the impression that it was just a particular group, either farmers or labor. At that time the sentiment throughout the state was very strong against the ownership of land by aliens.

Gilb: I suppose it was very strong in your county, too.

Jones: Yes, it was in this county.

Gilb: Did this feeling extend into the twenties, or did it subside by that time?

Jones: Well, it was subsiding, except that World War II brought it to the front again. Here on the coast, they put the Japanese in concentration camps; in the Hawaiian Islands they were allowed to enlist in the Army. The feeling

Jones: of distrust and suspicion was very strong here. I think events now prove it was unnecessary and unjustified, but it shows how prevalent and strong a sentiment can become.

Education

Jones: On the subject of schools--the theory in California is that every child is entitled to a common school education, and if one part of the state--a city--has a lot of millionaires and not many children and another part is poor, an industrial section, or a farming section, with a lot of children, not much wealth, the children in that latter area are entitled to just as much education as the children in that very wealthy area, so there is paid into the state fund a certain amount that the state distributes. The school district does what it can up to a certain amount, but beyond that, the state has its fund that equalizes or provides for education of children even in poor districts. So the theory is that every child in the state is entitled to an education.

An advance was made in the session just before 1913 providing for free textbooks. An amusing thing is

Jones: that some of the private schools, feeling that that would be in competition to them, came up to Sacramento and protested. But the legislature was in favor of free textbooks; in fact, they told these protesting people, "You'd better go home because Governor Johnson supports this legislation and we're going to pass it." The moment it was passed, those who had protested turned right around--they'd been protesting on the ground that common, free textbooks would carry disease and the children would lose the incentive of thrift. When the law was passed, these protestants turned right around and said, "We want free textbooks in the private schools." It was pointed out that this was made for the public schools of California and supported by the taxpayers, that it couldn't be provided for private schools. That theory of the support of schools, free text-books, showed the state interest in education.

Changing conditions brought about new methods. New highways, for example, mean that ten miles now is no longer than a mile used to be. A youngster can ride in a car or bus in the same time he used to walk half a mile or a mile. So there has been a tendency toward consolidated elementary districts and consolidated high

Jones: school districts.

Then, in order that the burden shouldn't fall just on a city that maintains a high school, but is asked to take care of pupils that come from outside the city, all the territory within the county is made a part of some high school district, so it contributes, and its elementary school pupils, when they leave the grammar school can go to high school. It's part of the high school district.

Junior College Movement

Then we have the tremendous development of junior colleges. When the load became so heavy on the University of California and Stanford, why, junior colleges began to spring up. In 1919, I put through a resolution providing for an investigation of the school system in the state. We held hearings in Los Angeles, Berkeley, and Sacramento, different parts of the state. We heard all different groups, and we brought in a report. We employed Professor Cubberly, head of the Department of Education at Stanford, not to present his views, but to write a report embodying the committee's views. When I introduced my resolu-

Jones: tion, the legislative representative of the University of California wanted to have a member on the committee who represented the University viewpoint. I think the Teachers' Associations wanted somebody that represented their viewpoint. I said, "No. We aren't making this a committee of those who represent special interests; we want members of the legislature alone, who are entirely impartial, but who will call in all these different groups." So we told Dr. Cubberly, "It's not to be a report on your ideas, but the conclusions we've reached." We completed our hearings in 1920. The report was presented to the 1921 Legislature.

Gilb: In the hearings, I was wondering what the different groups were for or against. Could you give me a summary of that?

Jones: I'll give you something, even though you're a University of California woman.

Gilb: I'd like to know. I know the University's attitude was probably adverse.

Jones: It was rather a surprise. We had our first meeting of all at Wheeler Hall on the Berkeley campus. General Barrows had just become president and we invited him. We invited President Wilbur of Stanford. We had leading

Jones: educators from California and Stanford at that meeting.

We asked President Barrows his views. He said, "I just recently succeeded President Wheeler. I've just come in and I haven't had time to formulate my ideas so that I don't feel prepared to speak for the University, but I have asked Mr. Merritt, Ralph Merritt (who was the comptroller), to speak for the University." Mr. Merritt said, "The University cherishes the ambition and feels it has the ability to take care of the product of the high schools of California, so we ask your committee to postpone any findings or any conclusions at least for another two years." He was so definite that after I got home, I received a letter from him embodying the same ideas, that there was no need for this committee to make any recommendations about junior colleges at this time.

Well, it startled us that as late as 1920 a person could be so blind to the upsurge of population and the blossoming out of junior colleges.

Gilb: Don't you think he was afraid that they'd take away appropriations that might otherwise have gone to the University?

Jones: I can't remember now all the reasons he assigned. But the thing that I do remember is that he thought that

Jones: the University was able to take care of the state's high school graduates. The problem was getting out of hand even then. I was rather startled that he should take the view he did because the problem was so pressing--that's the very reason that I introduced this resolution. Because the surge of high school graduates was so enormous. We presented that report; it was really the basis of junior colleges all over the state. There were some already in existence but in order they shouldn't be sponsored just by real estate interests in local communities, have a lot of small, weak junior colleges, we wanted them large enough to be strong, so we recommended they had to have a certain assessed valuation of property within the district.

Then with regard to our normal schools, we recommended converting them from two-year normal schools into colleges. First they were called teachers' colleges and later on, state colleges.

Gilb: Ernest Carroll Moore was pushing that view, wasn't he? He was the man who helped to found UCLA.

Jones: Well... Is Dr. Kemp still active? He was the president of the San Jose normal school. Then he went up to Berkeley. He was one of those who strongly... W. W. Kemp.

Gilb: I imagine all of the normal schools would be for it.

Jones: Yes. Well, they realized... although we didn't want them to forget their primary object was training teachers to man the public schools, the elementary schools. We didn't want them, these state colleges, to turn out doctors and lawyers and neglect the turning out of teachers for our elementary schools. What we were uncertain about was whether they would become indifferent to the primary task that a normal school had. We still wanted teacher colleges to carry on educating teachers for the elementary schools. And they're doing that pretty well now, although a great many other departments have sprung up. But that report, as I was saying, was the basis for converting normal schools into teacher colleges and state colleges, and for strengthening of the junior college system.

Now you spoke of UCLA. That happened in my time. My impression is that the drive for that didn't come so much from educators as from commercial interests, real estate, Chamber of Commerce interests in Southern California. They said, "We've grown so fast; we want an institution here."

Gilb: Kind of Boosterism; they wanted something to be proud of.

Jones: That's the explanation of UCLA, the start. It was the commercial interests, real estate interests, Chamber of Commerce interests, and so on, that got back of the drive. Just as somewhat similarly, the Regents of the University of California didn't originally favor the agricultural college at Davis. In fact, they said, to kind of belittle it, "Do you want to see cows on the lawns here at Berkeley?"

Gilb: When it came to getting appropriations, you mean the University didn't push very hard?

Jones: Oh, they did afterwards. They were very proud of it.

Gilb: Oh, afterward.

Jones: Yes. Now it's established, they, the boys have entered their cattle in the international stock exhibits in Chicago and they've taken first prizes.

University of California

Gilb: I wondered, in general, who appeared before the legislative committees on behalf of the University? Was it always the comptroller? Did the president ever...

Jones: It was Ralph Merritt and later on, Sproul.

- Gilb: Sproul as comptroller, before he became president.
- Jones: Sproul when he was still comptroller and not when he became president.
- Gilb: Did you ever have personal contact with him as comptroller, when he was comptroller?
- Jones: Oh yes, yes.
- Gilb: What kind of a lobbyist was he?
- Jones: Well, very loyal to the University. And very effective. That same disappointing attitude that I've mentioned about Davis, we had here in Santa Clara Valley; our fruitgrowers wanted us to have established an experimental station for deciduous orchards--not citrus. We put in a bill. I think the first session there was no money. Second session, I think Neylan was chairman of the Board of Control and he said, "Oh, the state has some land up here in Napa County and that's a close-by county, conditions are similar; we'll set it up there." And after the legislature adjourned, the thing was supposed to be an accomplished fact. I came back here to talk to our Chamber of Commerce and farmers at a luncheon at the St. James Hotel, proud and happy that we'd finally got this thing afoot. Then the University said, "We aren't for that. That isn't the place for a

- Jones: deciduous fruit experiment station." And Jack Neylan, I don't know whether it was Merritt or Sproul, or who it was....
- Gilb: Must have been before Sproul, because Neylan went off in '17.
- Jones: Yes, it was before Sproul. Neylan just became very indignant. "Oh," he said, "The Regents haven't approved this." As I've got the story, Neylan said, "You either come up here clothed with authority so when you make an assurance, you can stand on it, or else you keep away from here and have the Regents come themselves!"
- Gilb: To the comptroller, he said that.
- Jones: Yes. He said, "When you make a promise and speak for the University, we expect to rely on it, that you've got authority."
- Gilb: In other words, he'd have to clear it with the Regents before he....
- Jones: Yes. He'd have to do it before; he couldn't afterward. Neylan was very belligerent. Result was that the station blew up for that session. Next session, Sproul, by that time was comptroller, and he approached my seatmate, Frank Benson, who was a graduate of Hastings. By that time, Sproul had learned that our people, our

Jones: farmers, were not very happy over not getting that station. And he handed Benson a bill for a \$50,000 appropriation.

I said to Benson, "You can introduce the bill if you want; I'm not going to. After all these three sessions here, that's not enough to start the station." So we introduced a bill for \$150,000. On its way through the legislature, the Governor made us cut it down to \$100,000. But that was the start of the deciduous fruit experiment station.

While we're on that, I'll--since you're after authentic history--

Gilb: I certainly am!

Jones: --even though it may not always be pleasant. The wives of the professors and instructors at the deciduous fruit experimental station liked life in Oakland and San Francisco better than they did down here in the country. And there was a kind of a drag against that station. So by the time Richardson became Governor, the first thing we knew, the station at Mountain View had been closed. And the stuff packed up. It was to be taken up to Davis.

Well, the farmers came rushing in to me, and I

Jones: said, "I can't do anything with Richardson. I have no influence with him. I opposed his election." If it had been Governor Young, I would talk with him. "But," I said, "I'll tell you what to do. It so happens that he's appointed from this county on the Board of Regents, Mr. J. O. Hayes. Mr. J. O. Hayes is chairman of the Regents' committee on agriculture. Now you go to J. O. Hayes and tell him that the University is proposing to take that deciduous fruit station away from this county up to Davis." So the orchardists had a meeting with J. O. Hayes. They put it right up to him to save the station for Santa Clara Valley. First thing you knew, why, the station was started up again right here in this county and kept going. But I had to work in that devious roundabout way. I had no influence with Richardson, but...

Gilb: Hayes did, apparently.

Jones: Hayes was his appointee. So I said, "Talk to Hayes. He'll take it up with the Regents." Which he did, and the Regents backtracked right away.

The experiment station at Riverside had strong political backing from the beginning. In the case of the deciduous station I don't know what the reason was,

Jones: whether the University authorities felt that Davis was close by, that they could handle the work, or what. But it shows a certain conservatism even on the part of the Regents, about the original establishment of Davis, and the establishment of our deciduous station, and the opening of UCLA. They had to be shoved into it.

Gilb: Toward junior colleges and toward extension too, I know.

Jones: It was the same.

Gilb: Did this attitude affect the attitude of the legislature toward getting them appropriations in other spheres?

Jones: No. No, not permanently. The Davis experience might have affected the Sacramento newspapers and the farmers of the state temporarily. But the farmers are loyal supporters of the University on account of Davis.

Gilb: Did the legislature feel the University was serving the interests of the people in general, or did it feel that it was too isolated from interests of the state?

Jones: I think they felt the University was serving the interests of the public. In fact, the Legislature frequently gave them tasks and assignments. I know when we were having this trouble over the experiment station

Jones: here, at one time I said, "Well, if the University doesn't want to handle it, give it to the horticultural director." I think Sproul was comptroller then. But I think the Department of Agriculture itself said, "There are two functions in agriculture. One is policing and the other is research. We think the research ought to be handled by the University, and we'll take care of the quarantine work and the inspections and so on." So I think both the Department and Mr. Sproul didn't want the Deciduous Fruit Experiment Station turned over to the Department of Agriculture. But it just goes to show that even educational leaders can be conservative.

Gilb: It certainly does.

Jones: Well, I think that kind of covers the school situation in general.

Highways

The next subject I want to mention is the highway system in California. When Hiram Johnson became Governor, the roads of the state were built and maintained almost exclusively by the counties. If I am correct, there were no state highways except Leevining Canyon Road from the head of the Tioga grade down to Mono Lake

Jones: and a very few other state roads. The Leevining Canyon Road was built by State Engineer Nathaniel Ellery, who passed away just a few weeks ago. I met him at the last alumni reunion at Stanford, took a photograph of him, sent it to him, which he cherished very much. He told me about building that highway. I'd been over it in 1915, a long time after it had been built, but 1915 was the first time it had been opened since the old Tioga mines went out of operation. I went over that road in the summer of 1915, and so I could talk with Ellery about it. It's a magnificent road, but it's awesome and terrifying. Tourists, many times, want you to give them the inside of the road. The Southern Sierras Power Company men with whom I talked said that frequently tourists passing by would ask him to take the outside so they could keep the inside. So precipitous. There's a 2,200 foot drop between the head of the grade and where it gets down into the Mono desert.

There was a tragic incident which occurred there that happened a short time before we'd gone through on my first trip. The State Auto Association sends out a scout car at the beginning of the season to see how

Jones: the roads are and to give a write-up. The scout car was manned by a driver and a photographer. The photographer had the car come right out onto a promontory so that he stood on the road below and it looked as though the car was just silhouetted against the sky, over space. And he got his photograph. The driver attempted to back the car onto the road. It was a Dodge car, which at that time was not standard in its shifts. And he thought he was backing and he threw into low gear ahead and went over the cliff. The Southern Sierra Power Company man helped get the body out.

Well, this is by way of digression. That Lee-vining road was a state highway. Just out of what funds it was built, I'm not sure, but it must have been by appropriations, because we didn't have the gas tax at that time. But in Hiram Johnson's day, there were no state highways, except a very few. They were all county roads.

Well, Johnson ran the whole state, in his first year, for \$18,000,000 a year. About the same time, we had the proposal for the state highway system. There were three bond issues. The first one was in 1909 for \$18,000,000. Out of that, it was thought we could

Jones: build a highway system for the state, the main trunk-lines, if the counties would buy the rights of way and build the bridges. The \$18,000,000 wouldn't build the laterals to all county seats, but that would provide the state highway system of California. That shows how little they realized what our state highway system was to become.

Well, when that ran out, we had a second bond issue in 1915 for \$15,000,000. Then in 1919 there was a \$40,000,000 bond issue. After that was expended, the state realized that it couldn't have succeeding bond issues, so a bill was introduced by Senator Sample of San Diego, in 1921 as I now recollect, for a 1¢ gasoline tax. Such a protest from the auto salesmen, auto dealers. Sample didn't even try to get the bill out of committee. Two years went around; then in 1923 a bill was introduced for 2¢ a gallon, went sailing right through the legislature, public opinion moved that fast, objection to it had died out.

Gilb: They realized the need for highways.

Jones: The need for highways. And that it would not be a drag on the sale of automobiles. So it went sailing through. Well, gas tax has been increased since.

Instruments of DemocracyInitiative and Referendum

Jones: We can move on to another subject that received attention and sympathetic support of the Progressives and Hiram Johnson. That's legislation dealing with what might be termed the "instruments of democracy." First, I'd mention the initiative. And the referendum. And the recall. Strange thing is that the initiative and referendum were opposed by conservative interests, but those interests were the very first to use these instruments for their own purposes. On initiative petitions, it was thought that 50,000 would be enough names but instead of having 50,000, they changed it to 8% of the vote that was cast for governor at the last gubernatorial election. The result of that has been to bring up the number of required signatures so that today it is somewhere between three and four hundred thousand.

Gilb: Do you think that's a good idea?

Jones: Unquestionably it's too much of a restriction on the initiative. It's expensive. Professional workers charge 10¢ a name; an organization can sometimes get

Jones: by volunteer workers a certain percentage, the first few thousand, or maybe the first 20% of the names, but generally they have to resort to paid solicitors, and it just costs too much.

Gilb: In other words, it would be only the wealthy interest groups who could afford to use it.

Jones: That's it.

Gilb: And the idea was for it to be used by the people as a

Jones: That's right. The referendum likewise is an instrument of democracy. The initiative, you understand, is a means of getting something on the ballot where the legislators refuse to act favorably. The referendum, on the other hand, is a method by holding up measures that the legislature has passed but the public may not be satisfied with or at least, on which it is desired to have the public express itself.

Gilb: Did any of your bills ever get held up?

Jones: No. I'll say this, you might be surprised, but as you analyse the measures that have gone through by means of the initiative and the action of the public on the referendum, you'll find that generally speaking the people have been more conservative than the legislature.

Jones: They've sometimes held up measures and defeated measures that the legislature has passed. Instead of being a dangerous thing, it's been used by the public very cautiously in the main.

Recall

Jones: Then there was the recall whereby an official could be removed from office, state or local.

Gilb: I know that the recall of the judiciary was a big issue, whether it should be put in with the others. What was your attitude toward that?

Jones: That came up, I think, in my first session. I was more or less groping along. Hiram Johnson was for it. The lawyers of the state were against it. I was a little cautious, a little conservative. Taken by argument of the legal profession. But I've since felt that there was no reason why it shouldn't apply to judges.

Gilb: I think the San Francisco bar used the recall not long after that to try to recall police judges. And I know the L.A. bar used it in the early thirties, to recall some superior court judges, so the bar has used the technique.

Jones: I feel very definitely that there is no reason why it

Jones: shouldn't apply to judges as well as any other officials. But at the time, as I say, I was a new member, and probably was impressed with the objections, and just a little bit fearful.

Gilb: You were for recall of the other officials.

Jones: Yes. It was all part of the constitution. In fact I am the first legislator in the history of the state elected under the recall, as I mentioned in the other interview.

Then came the direct election of United States Senators. An amendment of the federal constitution. Was that the seventeenth amendment?

One of the first outstanding electoral reforms to be adopted was the Australian ballot, whereby secrecy was assured the voter. Previous to that, he'd go to the polls and one party'd have a certain color ballot and the other party would have another colored ballot, and observers could tell which way a person was voting. To protect the voter from that, they adopted this Australian ballot. But the thing in my time we had to watch out for was the party column, when there was a long list of delegates for a convention, and if you wanted to, you could vote at the top and you'd vote for

Jones: all of them. There's a tendency there to give the party managers certain advantages based on party regularity.

Women's Rights

Then there's the matter of women's suffrage. In California we had provided for women's suffrage in 1911 in state elections, before there was national suffrage in 1920. Students of California history have felt--I'll put it, one student, Franklin Hickborn, feels that women's suffrage was responsible for the election of Wilson over Hughes, rather than that incident of Hughes not calling upon Johnson. The vote was so close that either of the two parties could have...

Gilb: Generally people have felt that women have divided their vote more or less as men divided their vote.

Jones: Generally speaking, I believe that's so, but Wilson made the appeal that he was going to keep us out of war.

Gilb: Women would have a special interest in that.

Jones: Sons, yes. And that gave Wilson an edge, at least according to some political observers.

Gilb: I wanted to ask you the effect of women's suffrage on women's activity in behind-scenes politics. Have you found any tendency towards women becoming more influ-

Gilb: ential or less influential in the party itself?

Jones: It, of course, gave them a certain standing, but their numbers as party managers are minor. They have some women delegates now and then to a national convention or to a state convention, but minor in number. I think their influence arises more from organizations such as the League of Women Voters and the Federation of Women's Clubs. The Federation of Women's Clubs were very shrewd. Instead of having a great flock of bills, so many that they would dissipate their influence, they'd have a plebiscite and, I think by calling on their locals and having local clubs vote, they would select which was the most important to present that session. The next session they would select another issue. That way their influence wasn't scattered. They'd concentrate on the one measure that was selected as most important. So that, in that respect, the women's organizations, such as the League of Women Voters, have been very influential. They've been intellectually honest and fearless. Just because an issue is a hot issue, the League of Women Voters did not hesitate to bring it out and discuss it on both sides and try to give the public a chance to attend the hearings. Their

- Jones: recommendations are made after study, so that, I think, is where they've been most effective, in any organized, active part in politics.
- Gilb: How about women legislators? Can you make any generalizations about their effectiveness?
- Jones: They have been very competent, very conscientious, very capable. There've been none in the Senate, but in the Assembly were Mrs. Hughes of Oroville, Mrs. Saylor of Berkeley, Mrs. Dorys of Bakersfield, Miss Broughton of Modesto, and Mrs. Woodbridge of Placer County. There've been a number since my time, but I think they have been of very high grade and able representatives. I think they've been a credit to--call it women's suffrage or their sex.
- Gilb: I think Johnson was against women suffrage. At least I've heard that he was.
- Jones: Well, that may have been so. But I think they've made a very creditable record. In the average run of issues, I think the family votes the same. They, the husband and wife, have common ideas, common economic interests, and the vote is generally twice as many on a particular local issue. But there've been some measures where moral issues...and this vote for Wilson with a European

Jones: war in the offing. I think that the women's vote was strong on those measures. The women felt very strongly on them.

We've come to the subject of equal rights for women. When I was in college, the reverberations had not yet died down about the advantages and disadvantages of coeducation. That's a subject we used to debate in our debating societies. But to show how public sentiment has moved along, in California came suffrage for women. Then the bill for equal rights in jury service. That came up in my first or second session. My seatmate, Archie Campbell of San Luis Obispo, who had been a district attorney, was very strong against it. He insisted that there were things that should never come to women's ears in criminal prosecutions and so on. The Senate wasn't impressed; the legislature enacted the provision for women serving on juries. And today, the present generation just doesn't realize that that hasn't always been the law. They don't remember back to the time when women couldn't serve on juries. Now it's a common thing and it works so well that the modern generation doesn't realize that it hasn't always been the law.

More protracted was the struggle for equal property

Jones: rights. Equal share in the community property. Under the community property law, at first the wife had only an expectancy, that is a right that would ripen or come into effect only on the husband's death. She was supposed to have half interest in what was earned after their marriage. It was not an immediate or vested interest, but an expectancy; when the husband passed away, half of it was to be hers. But came along the income tax, which had an impact on a lot of problems, and a lot of husbands realized that they weren't getting the advantage of a split return, that when all the income went to the husband, he found himself in the higher brackets. But if the income could be split in two, he would be still kept in lower brackets.

So they appeared before the Judiciary Committee arguing for giving the wife an immediate vested interest in the community property. The first bill we passed was subjected to referendum and defeated.

Gilb: Defeated by whom? Who voted against it?

Jones: Bankers and business houses, different business houses. That's my recollection. Bankers were among the leaders against that. And I think maybe the title companies.

Gilb: It confused things.

Jones: Confused things. But another session rolled around and the next session we enacted the provision for equal property rights. Now I remember one incident, before the Judiciary Committee when a man who had no idealism, no concern for the rights of women as individuals, but was anxious to get the advantages of tax deduction, said, "Well, if we can split the marital income, this legislation giving a wife a present interest in community property has a nuisance value. Since wives have this nuisance value I favor this legislation giving them equal rights in community property." That is the thing that gave the drive, and since then, other states have gotten the federal government to provide for marital deduction. They looked at California and the community property states in the West and said, "That's unfair, that husband and wife can split income and we can't." So they've now got a federal income tax law provision for it.

One half goes to the wife as hers as her right and no inheritance tax has to be paid by her on her own property. That's the outgrowth of recognition of the immediate, present vested interest of the wife in one half of that community property.

Taxation and the Public Debt

Jones: Now we've come to the next subject, that's taxation and the public debt. I was asked by the State Historical Society to make a talk in 1949 on the first legislature of California, which had met in San Jose in 1849. At that time, I wrote to the Department of Finance and asked them to get me the figures, not for every year for 100 years, but every tenth year, on the cost of running our state government. The first session of the legislature met in 1849, and went on into 1850; they spent \$348,000. Ten years later, \$1,165,000. Ten years later, 1870, \$3,800,000. 1880, \$4,000,000. 1890, nearly eight million. 1900, nine million. Now we come to Hiram Johnson's time. In the year 1910, the year he was first elected, to run the entire state of California, all the departments, cost eighteen million. 1920, it had gone up to \$36,000,000. From there on, it begins to rise pretty fast. 1930, \$114,000,000. 1940, \$282,000,000. 1950 under Governor Warren, \$1,081,000,000. And here in 1956, under Governor Knight, \$1,730,000,000. That's his budget. That shows an increase far out of proportion to the increase in population. The reason for that is that public opinion has put upon the state

Jones: the obligation for many activities and functions which didn't used to exist.

Gilb: We've just been describing some.

Jones: Yes. Highway system. Maintaining roads. Welfare activities. Old age pension.

Going back a little bit, when I first went to Sacramento, the system of taxation split the source of revenue for maintaining county government from the source for maintaining state government. The system was devised by Professor Plehn, of the University of California. It had unfortunate results. First, under his system, the state was maintained by a tax on the gross earnings of public utilities--railroads, streetcar lines, and telephone lines, and so on. The ratio, or the rate of their earnings to be contributed to the state was supposed to be such that the burden on them would be the same as what the common property owner was paying. Well, it's always a difficult matter to compare, and furthermore, among the utilities, the rate that seemed fairest to one was either exorbitantly high as to another, or too low. The short line railroads didn't work out the same as the main trunkline railroads. So there was some difficulty in getting a rate that was fair as between

Jones: all the utilities and then as between the utilities and the common property owners. So we had a continual struggle in the legislature to up the taxes on the utilities to keep in step with the increased tax on property.

Another result was that the utilities could be powerful politically and of course they had lots of wealth. As the group who had to maintain activities of the state, the force of circumstances put them into opposition to any legislation that would increase state expenditures. That was the system that was then in effect. It since has been abolished, and that latter complication or difficulty has been eliminated. But to get more revenue for the state, a sales tax was enacted. The sales tax, as you analyze it, has been described as a tax on poverty. In other words, the millionaire and the poor man both eat the same amount of bread and the same amount of potatoes--

Gilb: I worked for the Gallup Poll more than ten years ago, and one of the questions we were given to ask was, "Are you in favor of the sales tax?" And they asked us to ask poor people and also wealthy people. Well, the poor people were the ones that were for it. They didn't understand.

Jones: When you analyse it, it makes a serious burden on the poor people. They pay as much taxes as a wealthy person for the same necessities of life. I took the position that if we were going to have a sales tax, we should equalize that difference, by having an income tax on people with larger means. That's since been adopted. We have a state sales tax and we have a state income tax.

Now in connection with this whole subject of taxation, you'll find this interesting inconsistency. That people want something for themselves, they want this activity or this appropriation or that, but they want taxes kept down. They want their particular pet project financed or the appropriation for it, but all other appropriations cut down. One or two striking examples come to my mind. The San Francisco Examiner during the period right after World War I was constantly agitating for a bonus for the soldiers, not only a pension but a kind of bonus. At the same time they were clamoring for reduction of taxes.

Gilb: That was a Hearst paper, wasn't it?

Jones: Yes.

Gilb: Well, he would have a dual attitude.

Jones: Don't know whether he realized the inconsistency or not.

Another striking instance was that of George Presly, manager of the San Francisco Chamber of Commerce. At one session they were urging very strongly appropriations for building the approaches to the Bay Bridge. The bridge was to be financed by tolls, but they wanted money for the approaches, so the state financed that. That same session they wanted, the San Francisco Chamber of Commerce wanted, the money for the Cow Palace. Appropriation was made, both were financed, the approaches to the bridge and the Cow Palace. Shortly after that, there was a meeting in San Francisco, big banquet, at which Presly was one of the main speakers, if not the main speaker. And his theme was a denunciation of the fool legislators who had no more sense than to spend the public money, increase the taxes. There he'd been plugging for increased appropriations for bridges and the Cow Palace and yet was denouncing the legislature for spending tax money. Well, those are just examples of that inconsistency that you find running through the public so often. They have their pet projects which they want, but they want taxes eliminated.

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Gilb: Poor legislators in the middle!

Jones: Middle, yes. Possibly the best policy for a legislator would be to follow that of an old-time Assemblyman who was asked the secret of his continually being re-elected to office. His answer was "I never vote against an appropriation, nor for a tax."

Now in connection with the state revenue, or revenue generally, take one field, that of tuition in educational institutions. Take the case of Stanford. When I attended Stanford, there was no tuition, but there was a fee of \$10 for carrying your name on the rolls for the year, registration fee. I put through a bill at the request of the Trustees at Stanford, authorizing the collection of tuition; they showed me that it was in accord with the Founding Grant for the Trustees to charge a tuition. They claimed that a legislative bill was not really necessary, but wanted it out of an abundance of caution. Today the tuition is about \$900 a year. There has been the getting of University revenue from gradually increased tuition. I don't know the picture at the University of California, but at one time there was a fee or tuition for out-of-state students.

Gilb: There still is, I think.

Jones: I think there still is, yes. Whether they have a tuition fee disguised as a registration fee or something else.

Gilb: I think they do have a very sizable fee each term. It's not as big as in the private schools but it's not small either.

Jones: Well, I have the impression that it has gradually edged in there. It's done in our state colleges here. A small amount, not very large, but a tuition fee, or fee, has been put on.

The most striking example is something we were able to defeat in 1933, in the depth of the depression. Then there was a movement on to put the high schools on a tuition basis. And a movement to take the budgetary control of schools out of boards of education and put it in the hands of county boards of supervisors. I was chairman of the Senate Committee on Education. We had a tough fight. Some of those attacks I couldn't stop in the Senate Committee or in the Senate. The Assembly killed them. But it just shows, when the state was desperate for revenue, the lengths to which they would go. In 1933 there was an attempt to put high schools on a tuition basis.

Jones: They've moved up on state parks. So that you have to pay a fee to go in and picnic. In state parks. Now it's different if you plan to stay overnight and want to barbecue and a place for a camp with tables, benches, and near-by water; it costs some money to provide those facilities. So there's a certain propriety in charging for camping overnight and having these cooking places established, tables and benches and so on. But to go in there and sit down by the roadside and eat your lunch, they're charging a picnic fee. This all has come as a result of pressure for getting more revenue. Just the same as these parking meters here in the city. One purpose, of course, is to keep the traffic moving, but another purpose on the part of the city administration is to get more funds.

Gilb: As a legislator, which way of getting funds did you favor? What sources of revenue did you personally prefer?

Jones: Well, coming back to the sales tax. I was not in favor of that unless it was accompanied simultaneously with an income tax. Which was done. Of course I realize this, that there is no ideal tax system. I started out with the idea that there was a fair and equitable system, but the old French minister of finance advocated

Jones: as the best system: that which plucks the most feathers with the least squawk. (laughter) So it's finding one source and another and another. Direct taxes, property taxes; when that gets too burdensome and a man can't carry the whole load, then they have a sales tax, and an income tax.

Gilb: What was your attitude toward single tax? That's been something that has come up time and time again in this state.

Jones: I was not in favor of it, but I'll say this, that that theory is practically in operation today by the profit tax. The single tax theory was that the increased value, unearned increment, came from society's building up a community and not the individual landowner, hence society ought to take the benefit.

Jones: Well, that plan never was adopted. But today if a man has a piece of property and it jumps up in value, when he sells he's nicked for an income tax or profit tax. So I think about the same thing is accomplished today. People would raise their hands in horror if they thought it was the single tax, but it's working out to the same thing.

Then of course there are license fees. The banks

Jones: pay the tax that maintains the Superintendent of Banks. The Building and Loan Associations pay a license fee to maintain the Building and Loan Commission. The fees paid by lawyers maintain the State Bar. The fees collected from sportsmen propagate fish and game. There are a lot of special departments that are maintained by a license fee or a tax for that particular department. That takes the burden off the general fund of the state. But the sum total is that the whole financial burden is going up and the fiscal advisors of the state are just put to it to find some new source of revenue which doesn't produce too much squawk.

Gilb: Did you ever come back to your county here after a session of legislature and hear a squawk about the taxes going up?

Jones: It was not so much objection to a particular tax or a specific license fee. It was the general protest against taxes being increased. The utility corporations were the most vocal.

Gilb: In other words, you didn't have a strong pressure put on you specifically on the subject of tax.

Jones: A general reluctance to have taxes increased.

Public Morals:

Liquor, Gambling, Prostitution, Narcotics

Jones: Another large subject in legislation is that of public morals. I think that the regulation of liquor, gambling, and so on, illustrates admirably the ups and downs of public opinion.

For example, in the case of liquor. In my own legislative career, we went through the whole gamut, completely around the circle. When I first entered politics, local option was beginning to make advances. There'd been battles in the legislature over the unit. Before I went to Sacramento, the law of California authorized local option by supervisorial districts. As dry sentiment increased, cities voted dry, then whole counties; later on came national prohibition. Then came repeal of the nation-wide prohibition. Thus the problem of liquor control will start all over again.

Gilb: How did you happen to take such a strong interest in liquor legislation? Are you yourself a teetotaler?

Jones: Not as a matter of principle, but just because I figure that liquor ordinarily doesn't do you any good. Of course I realize it has medicinal values and a lot of people take liquor temperately, especially at mealtime,

Jones: because it relieves tension and is pleasurable but it was more a matter of the welfare of the public, the harm that was done.

Gilb: You yourself don't drink?

Jones: No.

Gilb: Was that also true of your family, your father and mother?

Jones: Yes.

Gilb: Would that have derived partly from your Quaker background?

Jones: I think so, yes.

There were gradual steps looking toward stricter regulation of liquor. In my first session was the bill to establish mile dry zone around the University of Santa Clara. Then later on, in a few years, came the vote here in this county for drying up some supervisor districts. The real showdown came in 1918, after the Federal Congress had submitted the National Prohibition Amendment, and the state legislatures had to vote on it. In that 1918 campaign, the issue in this county was clean-cut on ratification or non-ratification of the 18th Amendment. In that campaign, I and the two Assemblymen running with me, T. M. Wright and

Jones: and Grant Bennett, realized that if we didn't sharpen the issue, there was a chance that we'd be defeated. The liquor interests backed one man connected with the Prune and Apricot Growers Association, and another man, a prominent vineyardist, who stood very high in the community. If it became a matter of the personality of those men and ourselves, they would get all the wet vote and as popular farmers, a part of our dry vote. We saw the strategy was all against us.

Gilb: Was there a sizeable wet vote in San Jose?

Jones: At that time two out of the five supervisor districts had voted dry. T. M. Wright and Grant Bennett and I came out with a public challenge to our opponents in the newspapers. We named them by name and said, "Congress has submitted to the states an amendment to the Constitution, providing for national prohibition. We feel the voter is entitled to know, before election, how the candidates for the legislature stand. If we are elected, we will vote 'yes'. If you're elected, you will vote how?" And then we said, "The space in this paper will be reserved one week from today, free of charge, for your answer." When a week went by and no answer came, we published the whole page of the paper again with the

Jones: question of how they stood on prohibition down one side, repeating the challenge, and the answer a blank space in the paper. That was very dramatic, very startling, to pick up the paper and see half the page entirely blank. Then after that we had a certain space about six inches square, in the corner of the paper, day after day, which came out with the daily challenge. For example, "Lloyd George said, 'England is fighting three enemies: Germany, Austria, and booze. The most deadly of these is booze.' If we're elected, we'll vote for national prohibition."

We met our opponents once at the Oak Grove School south of town. They floundered trying to placate the dry vote and yet not going far enough to alienate the wet vote. After that we never could get them into a public debate. But we continued to go over the county distributing leaflets that in such-and-such a place, such as the Palo Alto High School, there would be a debate on such-and-such a night on national prohibition. "Hear you legislators." Our opponents didn't show up. We thus sharpened the issue--made it the one issue of the campaign. The legislative ticket on which I ran was elected by about a 1,000 majority. We

Jones: had to get the Republican nomination. We were all Republicans. And we succeeded in getting the Republican nomination, by about a thousand majority. To show that it was the issue, in the labor precincts in back of the gas works in San Jose, Grant Bennett, a lawyer for the labor unions, ran very strong, but I got just as big a vote as he did. On the other hand, in Palo Alto, where I had gone to college, and knew a good many of the faculty and towns people, he got just as strong a vote as I did. The voters voted on an issue, so we ran as a ticket.

Gilb: Did you work with, or have the active support of, the Anti-Saloon League?

Jones: Yes, they supported us. That was the only campaign in which money was ever put up for my election. With the single exception of Mrs. Charles D. Blaney. Each election, before the campaign, she'd ask me to come to Saratoga and she gave me a check for \$100 for election expenses. Aside from that, that was the only campaign in which any money was put up. But the Anti-Saloon League raised about \$4,000 to conduct the publicity and the campaign work and precinct work and so on, in that campaign, to elect the State Senator and two

Jones: Assemblymen from Santa Clara County.

Gilb: They must have been putting quite a bit of emphasis on this county, because they didn't have that much money for the state as a whole, did they?

Jones: No, except possibly in some close or pivotal districts. Senators are elected for four years. Half the senators were already elected, so no use to go into their districts. I was up for re-election. In some cities regarded as hopelessly wet there was no use in making a fight, such as Sacramento and San Francisco, and other places definitely dry like Pasadena and Berkeley, they didn't have to make a campaign. But those crucial districts is where they concentrated, and Santa Clara County was one of those.

Gilb: Did you have any help from the W.C.T.U. or the Prohibition Party?

Jones: Not the Prohibition Party; they could be of no help because anyone registered as a Prohibitionist couldn't vote a Republican ballot in the primaries. They could not help get the Republican nomination.

Gilb: I've read that there was quite a bit of conflict at times between the Prohibition Party and the Anti-Saloon League. I wondered whether you encountered that personally.

Jones: No, I think that existed more in Southern California. There was a rivalry of tactics, differences of opinion as to what was the proper method of campaign. Those who registered as Third Party Prohibitionists of course felt emotionally very strong that that was the solution, but the Prohibition Party, as a third party, never succeeded in getting any great amount of support; in fact as you look at a study of American politics, the third party movement has never succeeded. When labor or the prohibitionists set up a third party, or even Theodore Roosevelt, whose dynamic personality set up the Progressive party, they haven't been able to make it succeed.

Gilb: You believe in trying to work within regular party lines.

Jones: That was my idea, and that was the tactics of the Anti-Saloon League. They would contact the candidates of the major parties, and whichever candidates supported their views, they'd get back of. So they would help elect that candidate.

Gilb: Wasn't Gandier the leader of the Anti-Saloon League?

Jones: Yes.

Gilb: What kind of man was he?

Jones: He was a very able man. He was a very able organizer and pretty clear thinker, pretty practical, and very successful. He was a powerful leader among the drys.

Gilb: How about A. J. Wallace?

Jones: Wallace was Lieutenant Governor my first session. He lent his support to the dry cause, but he wasn't a full-time organizer or leader the way Gandier was.

Gilb: Who are some of the other people besides Gandier who were really effective in the dry cause?

Jones: The publicity was handled by Mr. Franklin Hichborn. At one time they published a paper called The Liberator. He was the editor of that. For a considerable period of time. He handled their publicity through a number of campaigns.

There was a campaign in some of the cities to make them dry. It carried in San Jose. It was ~~on the streets~~ ^{in effect} ~~into books~~ for a while. But as I mentioned in the beginning, it is an example of the ups and downs of the public opinion. In the long run you can't get far ahead of public opinion. Underneath is this problem that those who have the incentive of profit are always alert. The general public are unorganized, inarticulate. When things get very bad, there's an explosion;

Date	Description	Amount	Total
1900	Jan 1	100.00	100.00
1901	Feb 1	150.00	250.00
1902	Mar 1	200.00	450.00
1903	Apr 1	250.00	700.00
1904	May 1	300.00	1000.00
1905	Jun 1	350.00	1350.00
1906	Jul 1	400.00	1750.00
1907	Aug 1	450.00	2200.00
1908	Sep 1	500.00	2700.00
1909	Oct 1	550.00	3250.00
1910	Nov 1	600.00	3850.00
1911	Dec 1	650.00	4500.00
1912	Jan 1	700.00	5200.00
1913	Feb 1	750.00	5950.00
1914	Mar 1	800.00	6750.00
1915	Apr 1	850.00	7600.00
1916	May 1	900.00	8500.00
1917	Jun 1	950.00	9450.00
1918	Jul 1	1000.00	10450.00
1919	Aug 1	1050.00	11500.00
1920	Sep 1	1100.00	12600.00
1921	Oct 1	1150.00	13750.00
1922	Nov 1	1200.00	14950.00
1923	Dec 1	1250.00	16200.00
1924	Jan 1	1300.00	17500.00
1925	Feb 1	1350.00	18850.00
1926	Mar 1	1400.00	20250.00
1927	Apr 1	1450.00	21700.00
1928	May 1	1500.00	23200.00
1929	Jun 1	1550.00	24750.00
1930	Jul 1	1600.00	26350.00
1931	Aug 1	1650.00	28000.00
1932	Sep 1	1700.00	29700.00
1933	Oct 1	1750.00	31450.00
1934	Nov 1	1800.00	33250.00
1935	Dec 1	1850.00	35100.00

- Jones: they organize, start a reform movement, and succeed. Then the thing kind of dies down. But those who stand to gain are always active, always on the job, and so you find it in liquor, racetrack gambling, all those vice crusades, those who have something to gain never sleep. They may be licked in one election, but they are alert the next election.
- Gilb: I understand that even among the Progressives there was quite a division between wets and drys. McClatchy, for instance, didn't want Prohibition, and Howell wasn't all out for it at first.
- Jones: Well, you're correct that the Progressive party didn't divide on the basis of wet and dry. A lot of labor men in San Francisco voted Progressive ticket in support of Johnson but they voted consistently wet. Their constituency in San Francisco was wet, while in Southern California, most of the Progressives were dry. But it's because their constituency was that way; many of the people had come from the Middle West, Iowa and those states, out to Southern California. Their natural leanings were dry. But you can't say the Progressive party lined up on that issue.
- Gilb: Did you feel Johnson was with the dry cause?

Jones: He didn't take a leading part. I'm trying to think of different bills. He signed the Red Light Abatement Act and in general he stood for clean moral conditions. But his first love wasn't on moral issues so much as on political and economic.

Gilb: I understand that the Assembly Public Morals Committee was dominated by liquor and vice interests for a long time. Was this true while you were there?

Jones: Not while I was there. Prior to that time, the majority of its personnel were given over to the liquor interests. The Public Morals Committee was the graveyard of moral legislation. But I came in 1913, and Wallace was Lieutenant Governor, and he appointed committees. A new order prevailed, and the committee, the majority of them were for moral reform, instead of against it.

Gilb: Do you think that the liquor interests had been actively linked with the Southern Pacific in control of legislature? So that a defeat of the Southern Pacific would also be a defeat of the organized liquor and vice interests?

Jones: I think the Southern Pacific was looking out for its own welfare, and would team up with whoever it thought would win. So often it's been true in American politics that big business and vice ganged up and combined.

Gilb: Just because they had power to borrow from each other.

Jones: Because each was strong and by making a combination, they could control a program. I wouldn't say big business at heart, because many of the leaders are strong moral leaders, church members. But you look over the history of the country as a whole, you'll find that frequently big business has ganged up with vice interests just because the vice interests were powerful to deliver votes, and they made a combination that was irresistible.

Gilb: You mentioned church interests. I wonder during this period before national prohibition, if all the churches were behind the dry cause, or were some of them lukewarm or wet?

Jones: I think all the Protestant churches were rather vigorously behind the dry cause. Some more than others. The Adventists, for example, were very strong for the dry cause. I think maybe in some communities, where there was a constituency of vineyardists, winegrowers, it may have slowed down the church.

Gilb: That's what you have here, in this county?

Jones: Yes.

Gilb: And did it affect the attitude of the churches?

Jones: I don't think it affected Protestant churches. They were pretty staunchly back of the legislators who stood for these moral issues.

Gilb: How about a man like Archbishop Hanna, who went along with many of the Progressives? Do you know what his stand was on liquor?

Jones: No, I don't, about him personally. But the Catholic Church represents a great many people of foreign extraction who are in the wine business, and while some of their leaders in the campaigns in this county were vigorously for dry legislation, a great many were not. I think they were caught by this standing of their members, more than Protestant churches. However, one of the strongest and most effective dry leaders in these campaigns was Father M. J. Whyte of Sunnyvale.

Gilb: Then you would say that by and large the people behind the dry cause were Protestant, middle class?

Jones: They, by and large, were. And then with a certain large percentage of the Catholic voters. But insofar as the voters were engaged in vineyarding, they were against it.

Gilb: How did you feel about the Rominger Bill, which would have prohibited spirits but allowed the sale of beer and wine?

Jones: What defeated that was the deadly parallel column. Rominger in the north, in the winegrowing districts, announced that his bill was aimed just at getting rid of hard liquor, not the wine business. In the south, that he was aiming to get rid of all liquor, and his bill was just a beginning. When the opponents got those parallel columns and published them side by side, it was just deadly for him. That was his mistake, of taking one stand in one part of the state and another stand in another part of the state.

Gilb: I guess you could do that before public communication got so widespread.

Jones: You could do that before the radio, but you can't do it today.

Gilb: How did you feel personally about that bill?

Jones: I supported the Rominger Bill.

Gilb: I have a note here that it came up on the 1918 ballot and that the Anti-Saloon League concentrated on Los Angeles and San Jose to put it across, and although San Jose voted against prohibition in 1917, it voted for the Rominger Bill in '18, so...

Jones: I'd have to check up on the records. As I recall it now, I didn't take any very active part in that bill because it had two interpretations.

Gilb: Possibly did you feel that it didn't go far enough?
It was a halfway measure?

Jones: I'm going to check up on it.

Gilb: The whole problem of enforcing national prohibition became a serious problem in this state. Apparently after national prohibition was passed, there was a state enforcement act, but it was repudiated, wasn't it, by the voters?

Jones: The Wright Act was adopted, but was later on repealed. Now that brings up what I mentioned in the beginning, this ebb of the tide. By the time I dropped out of the legislature in 1933, that was the session when the Prohibition Amendment was repealed. So that from 1918 to 1933 we had just gone completely around the circle.

Since then, the wets have run circles around the drys and got the Constitution so amended that only the state can enforce liquor regulation while cities and counties can't. Local option is no longer possible. A city can't outlaw saloons or regulate them. Just the state liquor control board.

Gilb: Do you think it would be better if there were local option?

Jones: Oh, absolutely.

Gilb: What about cities like San Francisco where they refuse to enforce Prohibition?

Jones: That's just a local problem. You can't get very far ahead of local opinion. I don't think that cities of the sentiment of San Francisco ought to prevent a place like Palo Alto or Los Gatos or Berkeley or Pasadena from regulating saloons if they want to. I believe local option is a desirable thing.

Gilb: You think that having statewide regulation tends more toward the wet cause than having local option would?

Jones: Yes. If you were dependent on statewide sentiment to get a law through, the sentiment in cities like San Francisco--very numerous population and very potent--can prevent or slow down or tone down a state enforcement act which communities like Pasadena or Los Gatos might want to enact.

Gilb: During the twenties, do you think that the Prohibition enforcement officers were very vigorous about it?

Jones: I've always felt that that was one of the tragedies of American politics. I think that if Theodore Roosevelt had been President, irrespective of whether he was wet or dry, with his stand in favor of upholding law, I think it would have been quite different. But Woodrow

- Jones: Wilson made Andrew Mellon head of the law enforcement agency; Mellon was a large distiller, and it raised a doubt as to whether he put any vigor into the enforcement. I remember quite distinctly when the time was approaching for the law, the 18th Amendment, to go into effect, the local liquor houses here were advertising frantically to sell their stock of goods, get rid of it. They figured the day would come when they couldn't sell any more. Later on, when enforcement became lax, when it was just weighted down with indifferent political appointees, they saw they needn't have been so frantic to get rid of their stock. It came from a lack of vigorous enforcement--I've always felt that with a man with a dynamic personality like Theodore Roosevelt, the story would have been different.
- Gilb: Of course Johnson was in the Senate; didn't he have the patronage to influence the appointment of U.S. attorneys out here? So he could have seen to it if he'd really wanted to.
- Jones: There again, of course, it's pretty hard to get far in advance of public opinion. That's been a problem from the beginning of time. The use of liquor. And I can see one of the difficulties. I may have mentioned in

Jones: the beginning, how I spent my three summers, when I was in college, in the San Joaquin Valley on a combined harvester. I've seen workmen work like dogs all summer long. At the end of summer they'd be in debt, drinking in town Saturday night, spent their money, gambled. But they were men without any cultural background, without any resources within themselves. Books and literature meant nothing to them; libraries, they would never think of patronizing. They didn't have a fondness for reading. The saloon was the only place they could go to. And these great masses of working men, in Stockton and Sacramento and San Francisco, all of our cities, what are they going to do with their spare time? What is the place of entertainment for them? There's got to be something, some substitute for the saloon. Limited attempts have been made to set up club rooms and places where they can play cards and games, but by and large, you can see there's a tremendous problem there, of what the working man, for whom life is hard and monotonous, who comes to his off day or off time, well, what's he going to do? That's made me realize the difficulty. The saloon has been a kind of poor man's club and that's the reason why it seems

Jones: so difficult by nationwide law, just to outlaw the liquor business.

Gilb: In other words, your sentiment has come to be that the feeling against liquor should be expressed locally and managed locally.

Jones: Yes, I think so. I think there should be local option. And I deprecate now what is going on. The advertising of liquor, making it appear to be the social thing. Time was some years ago, when the wives of directors of YMCA's who gave parties didn't serve liquor at all, but now it's fashionable when they have parties, to have cocktails; they've just gone along with the tide. It makes a problem, you can't get too far in advance of public opinion.

Gilb: How about the Anti-Saloon League during the twenties? Did it just sort of peter out? I know Gandier died and Briggs came in as head. What did you think of Briggs as a leader?

Jones: He was no such man as Gandier. He didn't have the acumen, the scuteness, the political sagacity. I have in mind one incident. He came here to San Jose when Euron Fitts was running for Governor against C. C. Young. We had a meeting. I said, "The thing for you to do now

Jones: is to come out and declare that you're going to be for Young, and thus head off Fitts before he gets up his organization and works up his strength." "Oh," Briggs said, "I think every candidate has a right to develop his strength and see what his backing is." Later on in the campaign from the south, he wrote me a letter, sending me a lot of clippings, and pointing out that Fitts was drawing a lot of strength, cutting into Young, and asked me, kind of put it up to me, what to do about it. I replied, "This is the thing that we pointed out to you when you were here and warned you against, but you wouldn't take our suggestions. It's a problem of your own creating. You know better than we how to handle it now." In other words, it's too late. He just allowed that...

Gilb: Didn't he actually support some "wet" people now and again?

Jones: He supported men whose record on gambling and other issues was bad, if they'd make a promise to support some dry measure. That was a weakness he had.

Gilb: Also I heard that he had something to do, not directly, with you not becoming president pro tem of the Senate. Did you feel that was true?

Jones: Well, I don't know how potent he would have been, but he had that same characteristic that I mentioned. He'd keep hands off at a time when he could shape things, then when it was too late, he'd regret it and wish that he had acted. No, he was no such political leader as Gandier.

Gilb: Did you take an active part in the campaign at the time of the repeal of Prohibition? Were you doing anything pro or against at that time?

Jones: Here should be mentioned the history of the two state enforcement acts--the Harris Act and the Wright Act. The first one was named for its author, Senator M. B. Harris of Fresno County. It was passed by the legislature but held up on referendum and turned down by the voters. At that election the dry forces were divided between former Congressman Kent and A. J. Wallace as candidates for the United States Senate. Their division resulted in the election of Senator Samuel Shortridge. The division undoubtedly also resulted in the defeat of the Harris Bill; at least the dry forces gave no vigorous and effective support to the Harris Bill until the very last days of the campaign when it was too late. Two years later the drys got back of another

Jones: enforcement act which took its name from its author, Assemblyman T. M. Wright. The Wright Act was not quite as sweeping as the Harris Act but had the staunch backing of the dry forces.

The whole history of this wet and dry legislation is written up in great detail in the autobiography of Mr. Highborn.

As to repeal of the Eighteenth Amendment, I could feel the ground kind of slipping under me. A senator from Alameda County was against the repeal of the Eighteenth Amendment until the city of Berkeley voted, and when the people of Berkeley took a vote, he followed their vote. In other words, he didn't stand on the merits of the issue itself but just according to how the people felt. And you could feel the sentiment just kind of slipping away, disintegrating, so by 1933, we'd gone completely round the circle. State enforcement outlawed, national prohibition repealed, we're back where we started in the beginning.

Gilb: You didn't try to fight it too hard, because you felt it was a losing cause.

Jones: There was nothing we could do. We were up there in Sacramento. Certain organizations down here protested

Jones: against the repeal, but...

Gilb: Which ones?

Jones: I know the church people and W.C.T.U. I can't remember whether the Palo Alto and Stanford authorities did or not. Have to look in the files and see. But by and large you could just feel the public opinion changing.

Gilb: Were you in the Senate when they gave liquor control to the Board of Equalization?

Jones: Yes.

Gilb: What was the reason for doing that? That's been criticized so much.

Jones: They didn't get around to setting up a liquor control board and there was an agency that was already in existence. There was a hue and cry against too many commissions and officials. Just give it to some existing agency.

Gilb: Do you think they didn't want to give Rolph more patronage or some new commissions to appoint? Would that have been a factor?

Jones: I don't think it was a matter of Rolph. I think it was just the protest against more commissions, so they picked out a commission that was already in existence and loaded the job on the Board of Equalization.

Jones: That was most unfortunate politically because the liquor people elected the members of the Board of Equalization. Before the Civil Service applied, the Board of Equalization tapped their employees for \$50 apiece or so for campaign fund dues, and saloons, anywhere from \$500 to \$1000 apiece, so that the incumbents were practically undefeatable.

Gilb: Do you think liquor interests also began to dominate the Public Morals Committee again?

Jones: Yes.

Gilb: They did, after '33. Wasn't a chance for the Drys after that?

Jones: No. It's an example of public opinion. And today, the ministers by and large are not doing anything about it. A good many of their parishioners use liquor and they don't want to stand out too strong against so many prominent parishioners. Of course, I think the thing that's helping create dry sentiment is the terrible toll of auto accidents from drunken drivers. But at the present time, the sentiment is not sufficiently aroused. Eventually it will be, but at the present time, why,--and of course they'd be running against the advertising I mentioned. Liquor is made to appear so

Jones: popular for social groups, women as well as men, using liquor, and some of these radio announcers are so persuasive, you just feel like going down to the store and getting a bottle of liquor. (laughter)

Gilb: Have your personal views ever changed on that subject? Do you feel just as strongly against it now as you did at the outset?

Jones: Yes. I feel that it physically does you no good, and that being so, why, I don't see any reason for using something that does you no good.

Gilb: Do you feel that your strength of character in remaining consistent has been shared by other people who were active dry people?

Jones: Only in part. Some that went along with the Drys now take cocktails and join with the others. There's been a crumbling of public opinion.

Gilb: Has Hichborn remained a strong Dry too?

Jones: Adament, all the time.

Gilb: Who are some of the others who remained consistent?

Jones: Senator Eddie Grant of San Francisco. A few leaders but they just don't have a very powerful following.

Gilb: It's a losing battle. Did you want to say something on narcotics and gambling?

Jones: On the matter of racetrack gambling, there's been the same going around in a circle. If I have the history correct, the assemblyman from Alameda County, John Eshleman, tried to get through an anti-racetrack gambling bill. Emeryville was located there, and bank clerks were embezzling money. An assistant comptroller at the University of California embezzled \$50,000 to play the races. And so Eshleman introduced the bill. He got it through, but the Supreme Court knocked it out. And a second one was passed. C. C. Young meanwhile had become assemblyman from the Eshleman district in Alameda County and Senator Walker from this county, so it was a Young-Walker bill.

One incident is amusing. Mr. Hichborn was asked to deliver a talk on racetrack gambling, over in Marin County, and one of the judges of the Supreme Court was in the audience. Hichborn said the second bill was so clear that a wayfaring man, even though a judge in the Supreme Court, need not err therein. The Court knocked out the first bill on a technicality and the second bill went through. I've forgotten when this anti-racetrack gambling bill was repealed, but I think it was in the thirties. The Depression was on, and the plea

- Jones: was that the state needed money, and given a certain percentage from the racetrack, a certain part of the take, it would help the state coffers. It was repealed. And it's regulated now, allowed by the state. Racetrack legislation also has gone around the circle again.
- Gilb: Did you take part in promoting the anti-prizefight legislation?
- Jones: Not an active part. I voted for those bills first, but the joke is that if the state prohibited prizefights within its borders, when the television came along and the radio, it could be broadcast from another state, so it was kind of useless. And I confess I look at the prizefights on the radio pretty regularly. (laughter)
- Gilb: Were the gambling interests closely linked with the liquor interests in lobbying?
- Jones: I would say that they were close, worked together.
- Gilb: Gambling interests were more or less defeated for so many years. How do you account for their not being able to get their ideas across? They must not have been very strongly organized.
- Jones: Well, I'll put it the other way. In the time of the depression, when the lure of getting some extra revenue to help the poor taxpayer had its appeal, that's when

Jones: they got it restored again. I think that was the most influential thing.

Gilb: Gambling could pay taxes.

Jones: Yes, the state would get a certain take from the race courses. But of course gambling again is something that runs deep in human nature. There's the matter of lotteries. The service clubs have a little kitty, many of them do, you put in a dime, and the one that draws a lucky number at the end of the meeting gets the jackpot. This is what the advertisers are doing now, you go in a certain store on a certain date and your name is called and you get \$1000. It's an appeal to that weakness of human nature to get something for nothing. But it's a very deep-seated part of human nature.

Gilb: Do you regard this as more or less of an evil than the liquor evil?

Jones: Less, because the consequences are not ordinarily--don't hurt so many people so directly. Of course, there are many who are appalled at the misery brought on by gambling--the deprivation of one's family when money is spent on gambling that should be used to buy groceries.

Governor Rolph, though no extreme moralist, expressed himself emphatically in opposition to the state

Jones: making profit from race track gambling. He said, "Although we can't stop gambling, we can stop the state from making a profit out of it."

In connection with the gambling habit, I recall the statement of Judge William A. Beasley, a Superior Court Judge here in Santa Clara County, and afterwards on the state Appellate Bench. He said, "I have known a good many men to stop the drinking habit. I have known some even to break the dope habit, but I have never known a man to break the gambling habit."

Gilb: I know that prostitution was very rampant in San Francisco at the early part of the century. Was it also true here in this county?

Jones: There were certain districts, houses--I don't think it was as widespread proportionately as in a big city like Paris or San Francisco, but the fight on that came in 1913, when Senator Grant introduced the Red Light Abatement Act, which would allow, instead of prosecuting some individual, a closing up of the establishment, putting a padlock on it. That involved quite a battle in the legislature. Held up on referendum, the measure was sustained by the voters of the state. One of the evils of the referendum was the forging of names to petitions.

Jones: We then at the next session had to enact a law that the Attorney General should fix the caption for initiative and referendum petitions, and there had to be a scrutiny of the names that were signed. But that was after the battle of 1913. Eddie Grant was recalled because that bill was out of step with his constituents and his district.

Gilb: Where was he from?

Jones: San Francisco. Eddie Wolfe defeated him, ran against him. Wolfe had been the senator from that district before. So Grant was defeated. His defeat arose out of his support of the Red Light Abatement Act of 1913.

Gilb: I remember McClatchy was very much against that act, wasn't he? Wasn't he for legalized prostitution?

Jones: I won't say what his attitude on that subject was. But he was against the Abatement Act.

Gilb: Did you have an interest or play an active part, in the bill that set up a farm for fallen women?

Jones: That wasn't the women's prison?

Gilb: I'm not sure. I think they had some special place where women who needed rehabilitation should go. Maybe I'm wrong.

Jones: I think that was incidental to the Women's Prison at

- Jones: Tehachapi. The state there set up the California Institution for Women which for many years was operated just a few miles south of the town of Tehachapi. Later this operation was transferred from this location to one near the city of Corona in Riverside County. At this new location the California Institution for Women has a fine, new plant. A separate institution was set up because of the inadequate provision for women in Folsom or San Quentin.
- Gilb: Was that a successful operation?
- Jones: I supported it at the time. I think it's a sound policy to have separate prisons. I think it's a matter of better administration.
- Gilb: How did you feel about the enforcement of the principle behind the Red Light Abatement? Do you think it's been adequately enforced?
- Jones: I think it's helped a good deal. Of course there again there's a problem as old as the human race. I was reading the other day that there are 30,000 women of the street in the city of Paris, alone. Then in book reviews in the Chronicle Sunday there was an account of prostitution in the 1500's, 1600's, in England, and the number of prostitutes. I think the problem hasn't

Jones: been entirely controlled, but I think the enactment of the Red Light Abatement Act was a desirable thing. It enable individual citizens, if officials were a little reluctant or tardy or derelict, to file a complaint.

That's the subject that Mr. Highborn gave a lot of attention to. I have never gone into it particularly as he has, but there is no such thing as anti-septic treatment in houses of prostitution.

Gilb: You mean it's not an effective method of control. Did the act make any difference in this county? Was there any shutdown of prostitution here as a result of that act?

Jones: There was a famous place, No. 10 Orchard Street, right across from Notre Dame Convent. (laughter)

Gilb: My goodness! How did that incongruity occur?

Jones: The Sisters said the racket, the cabs driving up, and so on, was an annoyance to them and their pupils, and they got it moved. The proprietor of the house of prostitution moved her girls down to the residential section right beside the house of one of the reformers and placed them there. It wasn't long before they were moved back to No. 10 Orchard Street again. I would

Jones: think that the act has been very effective in giving an instrument for closing down notorious places.

Gilb: If people are so inclined to utilize the legislation.

Jones: Yes. I think it's been an advisable piece of legislation.

Gilb: People, evidently, are not always so inclined. It's like liquor...

Jones: It's like liquor, yes, you can't get entirely away from public opinion. No, that's one thing that I've been impressed by, as time has gone by, more particularly with liquor and gambling, it's awfully hard to get away from what the mass of people feel and want. Public opinion rises and falls; depends on the community a good deal.

Well, our good Puritan ancestors were very fond of hard cider. The men who founded Dartmouth College, went out converting the Indians with a Bible in one hand and a jug of whiskey in the other. That is an example of how feeling has changed over the years and decades. The human intellect ought to be wise enough to protect itself, but...

Of course one of the jokes about drinking cock-tails--I'm on the Board of Trustees of Agnew State

Jones: Hospital, and we have dinner meetings about every three months. The former superintendent, before the dinner would always bring around cocktails. He didn't drink himself. He had a glass of tea. I sat next to his wife one evening, and she said, "Some day you're going to make a mistake and hand that tea to somebody that you don't intend it for." Just a commentary, that he wouldn't take it himself but was serving it to his guests, because that was the popular thing.

Gilb: I also want to get into the subject of narcotics. My information says that a narcotic hospital was authorized by the legislature in 1927 which was an example for the whole country. Do you remember that?

Jones: My connection with the subject of narcotics is mostly through my colleagues from Santa Clara County. I first served, when I went to the legislature, with the other senator from this county. He was Frank Benson. Frank Benson would like to have been on the Railroad Commission; he would have been a very able man in this position. He'd been city attorney in San Jose and was a very able lawyer. Governor Young induced him to become narcotic director. He said he just had a frightful time. As long as he picked up the little fellows,

Jones: that met popular approval. When he happened to pick on the big fellow, some jobber, why then there'd be a hue and cry and attempts to reach in.

Gilb: Hue and cry from whom?

Jones: Once in a while from the newspapers, and particularly individuals. They'd do it more or less indirectly. They'd criticise his methods. They'd bring pressure that he'd better not prosecute this man. It was all right to prosecute the little fellows, but he always found a lot of underneath influence when he got hold of the big fellows.

Gilb: Ostensibly respectable people?

Jones: Yes. He took that position and he has told me many times since that it's just an awful headache. It wasn't the kind of thing he wanted, but he did it to please Governor Young.

Later on, my other colleague from this county, Senator Sanborn Young of Los Gatos, had been a member of a grand jury in this county and on a committee to investigate conditions in the county jail. When he was on that assignment, and went down to jail, he got onto the fact that a good many inmates were using dope. Quite a lot of them. That got him interested in the

Jones: whole subject of narcotics. He was later elected to the Senate; he introduced legislation seeking to deal with narcotics. Later on still, he was chairman of a committee to make a report on the narcotic problem. When he had his report prepared, he invited me to lunch to his apartment, and read me his report, and told me about it. So the next day or so, it was printed, and like all other reports, put on the desks of the members. Lots of them go in the wastebasket; there are so many different department reports. But as that report was placed on the desk of the members, I rose from my seat and called their attention to the fact that the report was by a fellow member, and I told how he'd become interested in the narcotic problem and how much study he'd given it. At that time there was being proposed an international convention at Geneva on the whole subject of narcotics. I made the remark that the President of the United States could "go farther and fare worse" than to name our colleague, Senator Young, as a delegate from the United States. That was picked up right away by the San Jose Mercury as a matter of local news; they played it up and with that as a kind of hint, we got in touch with Congressman Free and with

Jones: Ray Lyman Wilbur, Secretary of the Interior. The first thing we knew, we had Young appointed by President Hoover as delegate to the international conference.

Well, I've talked with him many times about the work there at Geneva. He said that the trouble was to prevent the production of opium and narcotics. Turkey and China and those countries growing opium wouldn't agree to cutting off the production. So it was produced and always clandestinely gets in, to this country, in one form or another. The real problem is to head it off at the source of its production.

Gilb: I recall, going back to 1927, that the original bill provides first of all a hospital and secondly a farm, the latter being for people who were repeaters. So many of them, I guess, were incurable. And it was Governor Young himself who cut off the part of the bill that would provide for these repeaters.

Jones: Concerning the narcotics hospital that was established near Spadra about 1928, this institution was closed in 1941. In 1947 the land and the buildings were sold to a Junior College district. The narcotic addicts that were previously cared for in this institution apparently did not respond to the program of treatment and a large

Jones: percentage of them returned to their addiction following release. These persons are now taken care of in State mental hospitals.

Sanborn Young became very much interested and was an authority, very influential, very effective. That was his hobby, the thing he was interested in. His wife was Ruth Comfort Mitchell. She passed away a few years ago. I was out to see him some months ago; he's quite feeble now. These were my two colleagues, Senator Benson and Senator Young. Benson found it was just an awful headache to bring about effective enforcement, especially when you tread on the toes of the big fellows. Newspapers would criticize him. Wouldn't come right out, of course, favoring narcotics, would criticize his methods and manner of conducting his office and penalties and so on. So I've had that association indirectly through these two colleagues.

Gilb: How long did Senator Benson stay in that position?

Jones: He was in the Senate eight years, 1913, '15, '17, and '19. After he was out of the Senate he was appointed Narcotics Director. I would think it's through the major portion of Governor Young's term. I don't recall the exact time.

- Gilb: Did he ever talk to you about the problem of doping race horses?
- Jones: No.
- Gilb: Is there any other field on the subject of public morals you'd like to discuss?
- Jones: That generally covers it, with the general observation that it is in the hands of the public. Public opinion goes up and down on liquor and gambling. If the public patronizes or tolerates, they are going to exist. It is not an easy problem, but regulation is very essential. It's one of the means of trying to reduce certain evils. Always there is at work the motive of profit. To meet or overcome this persistent, never-tiring influence, public opinion has to be organized. While it is true that public opinion ultimately determines the attitude of the state in regard to liquor and gambling, it is nevertheless also true "the fight goes to the side that fights the hardest." In other words, that eternal vigilance is the price of moral reform as well as the price of liberty. As I have just said, one side is always at work because it stands to make money. The other side becomes aroused spasmodically, when conditions get intolerable; whenever the exponents of clean,

Jones: moral conditions become sufficiently aroused they prevail. It remains necessary, therefore, for the church people and others who want to eradicate vice to remain organized. This has been done successfully in some communities where there is a high degree of civic responsibility on the part of the leading citizens.

Water and Power

Drainage Problems; Flood Control

Gilb: Mrs. Baum, of the Regional Cultural History Project's staff, will ask you some questions on the subject of natural resources and conservation.

Baum: You were in the Senate in 1913 when they organized the Sacramento-San Joaquin Drainage District, and a number of the land owners put up a bitter fight to keep out.

Jones: Yes. I remember that. I remember that United States Senator Phelan had some lands. Whenever an assessment district is organized, those around the rim are usually dubious about the benefits and don't want to go in. We got protests from a lot of Democratic postmasters. We had to assume there was some connection with Phelan. We had quite a lot of protests from the rimlanders. I wasn't on the committee and I don't recall what concessions were made in the boundaries. The bill was put

Jones: through and the drainage district established.

Baum: I think Governor Johnson came in and asked them to put it through himself.

Jones: I think so. The thing that made it acute was the development of a very large area just north of Sacramento and east of Sacramento River called Sutter Basin. Eastern capital, to which the Armour Packing Company was said to be the largest contributor, was going to reclaim that area. They built a levee around the land. There are thousands of acres in the Sutter Basin, and as they leveed off the water, that made it flow back onto adjoining rim lands, and particularly the peach orchards around Marysville. Well, the thing got very acute. Men, whose lands were being flooded, would come down at night and blow up the levee with dynamite. Then the owners of the levees would patrol the levees with shotguns and there was pretty near a state of civil war.

Baum: Was there any thought of forcing the Sutter Basin company to abandon those levees?

Jones: Not that had any great weight back of it, because of the law that flood waters are the common enemy. If they're about to flood your home, you have a right to

Jones: put levees around your home and protect yourself. And the other fellow has the same right. So the state required that levees be built way back from the rim of the river, not right at the river. That would give a wider channel for the floods. The Sacramento, when the snows are melting, carries a tremendous flood volume, and the channel alone wouldn't take it. So the state acted under its police authority to guard against the floods doing damage by having these levees set back from the edge of the river.

My first connection with the flood water problems of the state was in my second session, 1915. The Lieutenant Governor appointed me chairman of the Committee on Drainage, Swamp and Overflow Lands. I said, "I don't want to go on that committee; I've got a lot of problems on education and farming and other things I'm more interested in." He said, "There's a very acute problem in the Sacramento Valley. We've got to have a chairman who comes from a disinterested area." So I was made chairman. The Sacramento River in time of flood is said to be the fourth largest stream in the United States, exceeded only by the Mississippi, the Columbia, and the Colorado. Snows melt and swell

Jones: the Sacramento. To meet these floods, a very long notch, called a weir, the Tisdale Weir, was cut along the eastern bank of the Sacramento River so when the water got to a certain height, the surplus would flow out through this weir down the Sutter Basin towards Sacramento and join the waters of the American River. Then the combined flow of the Sacramento and the American Rivers were released over a wier on the west side and sent across into the Yolo Basin, where it moved slowly down the Yolo Basin into Suisun Bay. If you come up from San Francisco to Sacramento on the Sacramento Northern, you come across elevated trestles. The highway also is on trestles. The water goes under those trestles there as a great inland sea. The problem for flood control engineers was to get the water that was moving by "slow freight" to go by "rapid express," to get it down faster, get rid of it. Our committee had to deal with the Army Engineers and State Reclamation Board, and the problem that our committee had was to work out something to relieve these Marysville orchardists and landowners around the rim and yet enable this Sutter Basin to be used. The idea was to shunt the water as rapidly as possible down the Bay. That was in 1915.

Baum: What did you think of the bill for the state to pay for the drainage district when it came up? Were you in favor of that?

Jones: Well, I thought it was giving the state the razzle-dazzle. The state first was asked to protect property and exercise its police power by requiring these levees to be built. Then, some sessions later, they just twisted that around on the state and said, "You stepped in and assumed jurisdiction and forced this on us. Now you ought to assume responsibility for paying for it." I thought it was illogical.

Baum: Do you think the state could have collected those assessments if it tried? Or was it impossible?

Jones: Oh, I think they probably could have, but the backing of the legislators in the northern Sacramento Valley was pretty potent. At that time Senator Rich came into the Senate. He's a very influential, very able man. He was one of the leaders. The amusing thing, there were several other districts in the southern part of the state that popped up and said, "Well, we'd like to have the state pay our assessments too." The backers of the San Joaquin-Sacramento Drainage District fought that off bitterly. They knew if the whole thing was loaded on to the state, the bill would be defeated, so they

Jones: were in an inconsistent position of wanting the state to pay their bill but not to pay anybody else's bill.

Baum: It must have taken some clever political maneuvering to get that thing through.

Jones: Well, it did. Of course they put up a hard-luck story, that it was a big burden on them, that they were struggling along, but as I say, the state is regarded as pretty wealthy and when people fail of other means they frequently turn to the state to pay the bill. That's what happened in this case.

Baum: Do you remember how you voted on that?

Jones: Oh, I finally supported it, but I felt it was twisting the whole thing, kind of taking an unfair advantage of the state.

Baum: You felt the state had been taken in.

Jones: Yes. So the grand windup came; the state footed the bill, that is, to the extent of nine million dollars, as I recall.

Baum: I think that a lot of the settlers weren't for the drainage district all along; perhaps they felt that the legislature had been pressured by these Armour interests unfairly, and why should they pay the bill? Do you think there was opposition to these big companies?

Jones: I think there was a combination of two influences. One was the feeling of bitterness by the people affected by the Sutter Basin. The Sacramento-San Joaquin Drainage District was of course much vaster than just Sutter Basin. There were many in that didn't want the district. But the legislature found that the majority wanted it and the majority would be benefited, so they passed it.

Baum: How influential do you think these big land companies were in pressuring the legislature? Did they have lobbies?

Jones: The Sacramento Bee was strongly in favor of the Sutter Basin development. It's a pretty potent paper. It's right there at the seat of government and has, I think, more influence than any other one paper because it's put on the desks of the members, every day. It reports work going on in the legislature in more detail than any other paper. I think by and large the legislature felt that the District was for the benefit of the state, because floods were causing a lot of damage. There had to be some way of controlling them. Overflowed land ought to be reclaimed. I think by and large the members--a lot of the members were from Southern California and other parts of the state that

Jones: wouldn't be benefited by it. So I would say that the members felt that the bill should stand on its own merits, that it was justified and necessary to get the machinery to deal with flood conditions and reclaim overflowed land.

Evolution of Central Valley Project

Baum: I know the Marshall Plan came up in 1919. That was to try to take care of some of these problems.

Jones: 1921, I believe.

Baum: I think Marshall wrote a letter about it in 1919 and it came before the legislature in 1921.

Jones: Yes. Marshall had been in charge of the United States Geodetic Survey and he said that in the middle of the summer he had crossed the Sacramento Valley and thought there wasn't a drop of water left in California. Then he came to the Sacramento River and found it running bank-full and wasting into the Bay. That got him to thinking. His plan was to take the water in a Grand Canal along the eastern foothills from the Sacramento Valley down to the San Joaquin Valley. You have to bear in mind that about twice as much water originates in the northern end of the Central Valley as in the

Jones: southern end, but there's half as much again farming land in the southern end as in the northern end.

That was in 1921. The legislature realized the importance of the problem, how gigantic it was, but we didn't feel qualified to pass upon the feasibility of the project right off hand. So for ten years we kept appropriating money, the total amount being a million dollars, for the state engineer to study that plan.

Baum: I think in 1921 there was a Water and Power Act proposed in the legislature. It passed in the Senate and died in the Assembly. What was the opposition to it?

Jones: It was the power companies.

Baum: Were there power provisions in 1921?

Jones: That's my impression, that Senator N. B. Johnson of San Mateo County introduced that and passed it through the Senate.

Baum: Did you vote for that?

Jones: Yes. I've always felt it would be a fair thing to let private power and public power compete, see which is furnished the cheapest and which is the most efficient. That was my attitude then and that was my attitude in 1933 when I got an amendment in the Central Valley Act. Not to preclude private power companies from going into

Jones: the field, but on the other hand giving a yardstick from which we could tell whether their prices were equitable.

Baum: Then you think that as far back as 1921 already the private power companies were worried?

Jones: Oh yes.

Baum: The Water and Power Act came up in 1922, 1924, and 1926, and failed each time.

Jones: It was proposed as an initiative and failed.

Baum: Oh yes. Were you in those campaigns?

Jones: Not actively. There was a group of men in San Francisco, Mr. Rudolph Spreckels was the leader; Dr. Haynes of Los Angeles; Congressman Kent of Marin County; Phelan, who had been the prime mover for the Hetch-Hetchy system. They were the backers of that.

Baum: You took no active part in that campaign, pro or con?

Jones: No.

Baum: All this time, the legislature was studying the feasibility of Marshall's plan, for ten years. Was it feasibility they were concerned about, or was it the opposition of the power companies that delayed the project? Were they using the demand for study of feasibility as an excuse?

Jones: No. It was a gigantic thing, how the water was to be conveyed to places of deficiency and what the cost was to be.

So in 1931, after ten years study, the state engineer came up with a report which embodied the plan to carry the surplus waters from the Sacramento to the San Joaquin. But instead of using the Grand Canal on the eastern foothills, the plan was to use the channel which nature provided: namely to let the water come down the Sacramento to its junction with the San Joaquin and flow back up the San Joaquin as far as it would by gravity; then to lift it over a booster dam and let it again flow southward, then over another booster dam and another, a series of ten booster dams for immediate construction, which would get the water way up to Fresno. Ultimately four more booster dams would carry it on further south still.

That plan involved the expenditure of \$170,000,000. It was designed to meet the needs of the Tulare County and other San Joaquin Valley landowners, who were desperate for water.

About 40% of the waters of California originate in the Pacific Northwest and flow into the Pacific Ocean:

Jones: the Smith River and Trinity and the Klamath, Mad River, and the Eel, and then there are some minor streams, the Van Dusen, the Navarero, the Noyo and also the Russian River. Only about two percent of the farming land in this state is located in that area, and 40% of the water. So that water is wasted. We get over in the Central Valley, and there's about twice as much water in the Sacramento Basin as in the San Joaquin Basin. About 32% of the water in this state originates in the Sacramento and only 16% in the San Joaquin. So there is twice as much water coming out of the Pit, the Sacramento, the Feather, the American, Bear, Yuba, and the Cosumnes, all those streams. So the basis of that engineer's report was to carry the surplus from the north, where it wasn't needed, to the south, where it was needed. That was in 1931.

The bill came before us in 1933. At the request of the State Grange, and the League of Municipalities, I offered an amendment that made it mandatory to build a transmission line from Shasta down to Antioch. The power company representatives had been seated around the lobbies of the capitol, complacent, looking with approval on the conserving of water, but the instant

Jones: that that amendment was offered, they were galvanized into action. They tried to defeat the bill in the Senate but didn't succeed; they tried to defeat it in the Assembly but didn't succeed. They tried to get the Governor to veto it and he refused. Then they invoked the referendum, and at a special election on December 19, 1933, the voters of the state sustained the Central Valley Act. The fight originated over that amendment for a transmission line.

The reason for that amendment was this: If we had that transmission line, the state would have two bidders for the power from the project. If that transmission line weren't there, the only bidder rich enough to build a transmission line and thus be able to utilize the power would be the Pacific Gas and Electric Company. They could say, "We don't want that power for some years," or "When we do, this is what we'll pay for it." But with that transmission line, power could be sold to the cities of Chico and Marysville and Sacramento and Stockton and other municipalities, and to public districts along the line, so we would have two bidders instead of one. That amendment put the "fight" into the Central Valley Act and that's been the fight ever since. This fact must

Jones: always be kept in mind in following the history of the Central Valley Project.

Baum: Why do you think the Senate accepted your amendment?

Jones: Well (pause). The bill was favored by the San Joaquin people, but opposed by the Sacramento Valley people. It needed votes to get it through. A group of us took the position that if they would take this amendment of mine, we'd support the bill. So the San Joaquin people, their representatives, accepted the amendment. When it was in and had the added prestige of having passed the Senate, it went on over to the Assembly. It passed both houses and the Governor signed it. You have to remember in following all this legislation that the power influence is the thing you have to keep in mind. That's the explanation of the opposition. The power companies don't like this competition from public power.

Baum: What was the feeling of your constituents in San Jose about the power lines? Were they especially interested?

Jones: Well, the votes were in Southern California so I went down there and campaigned, spoke on the radio, at meetings and so on.

Baum: This was at the special election?

Jones: Yes. Neglected my home community. The measure didn't

Jones: do so well here; it did better down there. But I was trying to be practical; the votes were down there.

Baum: That's where it was nearly defeated, wasn't it? Down in Southern California?

Jones: Well, you'd have to examine the returns by counties, but it carried down there.

Baum: It doesn't seem that San Jose has any special interest in the power.

Jones: San Jose was not alert to the practical results of cheap power. It would just be a kind of abstract matter of having cheap power ultimately available for domestic users and industry. Now, up there in the Sacramento Utility District that's a real concern, a matter of major importance up there.

We passed that bill in 1933, in the depths of the Depression. The state couldn't float \$170,000,000 worth of bonds and start building that project, so we asked the federal government to take it over. They were anxious to put men to work. So the federal government took it over. They put it in the hands of the United States Reclamation Bureau.

The Bureau examined the plan and they kicked over one detail in Marshall's plan and in the State Engineer's

Jones: plan. Instead of having a Grand Canal in the eastern foothills or using the channel of the San Joaquin by a series of booster dams carrying the water south, they built a Grand Canal along the west side of the San Joaquin. Now if you go from San Jose to Tracy or Stockton, as you get out of the Altamont Pass at the Mountain House you come to that big canal about 40 feet wide. That's carrying 4,600 cubic feet of water every second. That's the Delta-Mendota canal. The pumping plant is about four miles north of Tracy and has immense pumps and lifts the water about 206 feet high, then starts it 120 miles south on the west side of the San Joaquin Valley to irrigate those lands. Then the surplus runs back into the San Joaquin River near Mendota, and goes north again.

Running through this whole project is the controversy between federal construction and state construction, or federal financing and state financing. Back of that are two things. The first and most important, I think, is the hand of the power companies. They would rather deal with the state than the federal government. They don't want these public projects to be constructed in competition with them. They are willing to have

Jones: enormous expense incurred by the public in building the dams, but then they'll build the power house and transmission line and get the power wholesale and sell it retail. They don't like the competition of the Bureau or the state. This policy was outlined by Owen D. Young, power company executive.

Then there is what they call the 160-acre limitation. In 1902, when Theodore Roosevelt was President, Congress passed the Reclamation Act. That embodied the old-time theory that had been held since the Revolutionary War, when they gave allotments of land to soldiers, of helping the small landowner, the small farmer. So when desert land, which was practically worthless, was made valuable by having water put on, the Reclamation Act provided that water would not be furnished by the project to more than 160 acres belonging to any one owner. Or, in California, 320 acres for a man and his wife. But some of these immense landholders don't want that, because if they can get this desert land at a very cheap price and get water on it at public expense, and then sell it at an enormously enhanced price, there's a tremendous profit to be made. So we have to keep in mind, back of other considerations,

The first part of the paper is devoted to a general discussion of the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters α and β . It is shown that the system has solutions for all values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. In the case when this condition is not satisfied, the system has no solutions. The second part of the paper is devoted to a detailed study of the properties of the solutions of the system (1) for arbitrary values of the parameters α and β . It is shown that the solutions of the system (1) are unique and depend continuously on the parameters α and β . The third part of the paper is devoted to a study of the asymptotic properties of the solutions of the system (1) for large values of the parameters α and β . It is shown that the solutions of the system (1) approach zero as the parameters α and β approach infinity. The fourth part of the paper is devoted to a study of the stability properties of the solutions of the system (1) for arbitrary values of the parameters α and β . It is shown that the solutions of the system (1) are stable for all values of the parameters α and β . The fifth part of the paper is devoted to a study of the bifurcation properties of the solutions of the system (1) for arbitrary values of the parameters α and β . It is shown that the solutions of the system (1) undergo a bifurcation at the point $\alpha = \beta = 1$. The sixth part of the paper is devoted to a study of the numerical properties of the solutions of the system (1) for arbitrary values of the parameters α and β . It is shown that the solutions of the system (1) can be computed numerically for arbitrary values of the parameters α and β . The seventh part of the paper is devoted to a study of the analytical properties of the solutions of the system (1) for arbitrary values of the parameters α and β . It is shown that the solutions of the system (1) can be expressed in terms of elementary functions for arbitrary values of the parameters α and β . The eighth part of the paper is devoted to a study of the geometric properties of the solutions of the system (1) for arbitrary values of the parameters α and β . It is shown that the solutions of the system (1) form a surface in the parameter space for arbitrary values of the parameters α and β . The ninth part of the paper is devoted to a study of the topological properties of the solutions of the system (1) for arbitrary values of the parameters α and β . It is shown that the solutions of the system (1) have a nontrivial topology for arbitrary values of the parameters α and β . The tenth part of the paper is devoted to a study of the physical properties of the solutions of the system (1) for arbitrary values of the parameters α and β . It is shown that the solutions of the system (1) have a physical interpretation for arbitrary values of the parameters α and β .

Jones: the two main influences, the power companies in opposition to public power and the big landholders in opposition to the 160-acre limitation. Unless you keep those things in mind, you don't understand the basis of the controversy or the basis of the opposition, either in the state or in Congress.

Baum: I think the Federal Reclamation law provides that the large landowner is not allowed to sell his excess lands at a speculative profit, if the land value has increased because of the reclamation project. They have to sell without making the tremendous profit they might make on the free market.

Jones: That's the theory, that the lucky large landowner should not profit at the expense of the government.

Baum: What would you think of letting the landowner profit at the speculative price, if he sold? He would profit at the expense of everyone in the United States who pays taxes.

Jones: Well, I think it's hardly an equitable thing for the individual to be able to reap a big profit on the government's outlay. I'll say this. In a certain way the government is already remedying that situation with the income tax.

Reum: Taking it away in capital gains. (laughter)

Jones: The 160-acre question, I think, turns on a social, rather than an economic argument. I presume that these big ranches can produce potatoes and field crops cheaper on holdings of thousands of acres than the small farmer, each one buying a little tractor and each one farming a patch of his own. But that doesn't build up a wholesome community, with schools and churches and families and self-pride and self-reliance of local community enterprise. So you have to take into account in this 160-acre limitation whether or not efficiency to the last degree is to be desired at the expense of the small farmer and the social advantage of families and small communities. It reminds me of Goldsmith's verse:

"Ill fares the land, to hastening ills a prey,
Where wealth accumulates and men decay."

I think if you take into account the social viewpoint, the small farmer ought to be encouraged.

So that gives you a kind of birdseye view of the state development brought down to our county development. It reveals the forces at play, behind the scenes, both in the national and state legislation.

Limitation of Riparian Rights

Baum: I believe in 1928 you and your colleagues got through the legislature a constitutional amendment limiting riparian rights to water to reasonable use.

Jones: Yes, that was the result of what they called the Herminghaus decision. As soon as the courts decided that the riparian owners had the right to flood waters coming down from seasonal floods to inundate their pasture and deposit silt, we saw how sweeping that was. Judge Shenk of the Supreme Court had dissented and he was very alarmed over the decision. He came right up to Sacramento and he worked with us in the preparation of this amendment, that the riparian right should be limited to reasonable use and by reasonable methods. It was felt that if the Herminghaus landowners needed just a small film of water they should pump it out; they weren't entitled to have the whole lifting power of the river to lift that to the top and spread it out over the lands. That was wasting the whole volume of the river down into the Bay. That was looked upon as a terribly wasteful use of water.

So when Judge Shenk came up to Sacramento, he and others, we drafted this amendment to the constitution

Jones: that the riparian right should be restricted to reasonable use by reasonable methods. We felt the method the court had approved in the Herminghaus case was absolutely unreasonable.

That was an important amendment and the Supreme Court has since carried it out in a number of cases.

Baum: Was there much opposition to that amendment?

Jones: I don't think so. It was an amendment to the Constitution, had to go through the legislature by a three-quarters vote and then pass the people of the state. No, I don't think there was much opposition because we easily got the vote. I think the legislature was convinced of the harmful application of that Herminghaus case. We thought the decision was just legalism "gone to seed."

Baum: How come you were selected to shepherd that amendment through the Senate?

Jones: I have forgotten that, but I felt very strongly. My seat mate and colleague, Senator W. J. Carr of Pasadena, had known Judge Sherk when Sherk was City Attorney of Los Angeles and Carr was City Attorney of Pasadena. As I say, I was thoroughly concerned with the application of that decision.

Baum: I think the amendment on only reasonable use of riparian waters is now being extended to the use of sub-surface waters.

Jones: Yes, that is being extended because underground water that flows in a defined channel, should be subject to the same doctrines as surface flow. The time is coming when there will have to be a correlation between different uses of water; one can't be permitted to waste it at the expense of the other going without it. The water law is undergoing a great change, but always based on the general premise that the increase in population and demand makes it necessary to utilize every drop of water.

Baum: Do you think they'll ever do away with the riparian doctrine entirely?

Jones: No, I don't think so, but I think more and more they'll emphasize the doctrine of appropriation.

HOW STATE LEGISLATION GETS PASSED

Non-partisan Alignments

- Gilb: Now I have a series of general questions I want to ask you, since you were such a leading liberal legislator, about the methods of being a leading legislator.
- Jones: I don't know whether I'm entitled to all those adjectives or not. (laughter)
- Gilb: Well, at any rate, was there strong party solidarity in the legislature, in the Senate particularly, when you were a senator? In other words, did all the senators meet in caucus prior to the passage of important bills?
- Jones: Well, the lineup Hiram Johnson brought about was Progressive vs. Conservative. He had as his backers, Democrats and Republicans. And he had as his opponents Democrats and Republicans. That alignment continued more or less down to Governor Olson's time. All that time. Not as strong, but the lineup was Liberal vs. Conservative.
- Gilb: And did these groups meet in caucus?
- Jones: The Progressives or the Liberals met in caucus repeatedly, to decide who they were going to stand for as the officers of the legislature. In that connection, Hiram Johnson had no more faithful backing than that of

Jones: Senator Anthony Geminetti, a life-long Democrat, while on the other hand, there was his embittered opponent, Leroy A. Wright of San Diego, a conservative Republican. But that was the lineup and it was based on, I think, a very true analysis of legislation, that the demercession didn't depend upon foreign policy in Washington or the tariff, but upon whether you favored improved conditions in schools, working conditions, and women's rights or whether you were opposed to those changes. As I remarked once before, the legislature is really a glorified Board of Supervisors, and the issues were schools and roads and prison reforms and juvenile delinquency vs. an attitude of indifference and no concern.

Gilb: Well, you know there have been a number of critics of the tendency which the Progressives particularly helped to bring about in this state, which was a tendency to minimize the influence of the parties. And there has been a strong push on the part of both Democrats and Republicans in the last ten years to make the parties themselves more significant. Do you prefer the non-partisan approach?

Jones: Yes. I think the tendency you mentioned is due to the desire of the party managers to have a strong local

Jones: organization to help them win national elections. If they have, in a campaign for president, a state organization down to the local precincts, a lineup of Republican vs. Democrats, it helps them in their national campaign; but it's not an expression of the true issues of local interest or what the local problems are. I think it's an understandable desire to build up a strong army of political workers, but it's not based on a true analysis of local issues.

Gilb: In other words you still believe in a non-partisan approach to state and local affairs?

Jones: Yes, I do.

Candidate for President Pro Tem of the
California Senate, 1924

Gilb: I know that in 1925 you were making a strong campaign to become President Pro Tem of the Senate. Can you tell me anything about that? Your tactics, who was for you, who you were fighting?

Jones: Well, I wouldn't designate it as a strong campaign. It was just an announcement of my willingness and intention to be a candidate. I don't remember the vote now, but the lineup was essentially the old Progressive or the

- Jones: Liberal wing vs. the Conservative wing.
- Gilb: And the Conservative wing was the administration wing by this time, too, wasn't it? Richardson was Governor. Arthur Breed was your opponent in that race, wasn't he? Can you tell me something about him?
- Jones: Well, he was a very influential legislator, a powerful figure. But he represented what you'd call the Conservative wing. He was from Alameda County, Oakland, and he was identified with the financial and industrial development of Oakland, Alameda. He was primarily in real estate investment. Oakland was growing, expanding. If a person was shrewd, he could buy in the path of development. Yes, he was a very shrewd and competent legislator. But he represented one viewpoint, and I thought I would represent the other viewpoint.

Committee Assignments

- Gilb: I wanted to ask you also about committee assignments in the California legislature. What committee did you regard as your favorite?
- Jones: Well, of course, the committees which are sought after because of their influence were judiciary and finance. I was chairman of the judiciary committee for twelve years.

Gilb: How did you get yourself in such a powerful position?

Jones: My very first session, some of the backers of Hiram Johnson wrote up to him in my behalf. One of them was Professor R. L. Green of Stanford University, who took an active part in state politics, local politics, and he bespoke important assignments for me. One committee I was as anxious to get on was the committee on education because there were so many institutions of education here in my community: Stanford University, University of Santa Clara, State College, University of the Pacific, Kings Conservatory of Music, and the whole public school system. And to protect or further the interest of my county I also asked to go on the committee on agriculture, because we have such a tremendous fruit industry. But aside from taking care of agricultural interests locally, education I thought was as interesting and important...

Gilb: If a legislator wanted to get on a committee, what would be the best way of going about it?

Jones: Well, the presiding officer asks you to hand in a list of committees you want to go on. You can't go on all of them because there may be conflicts. Too many might want some particular committee. But if you're

Jones: part of the administration your wishes are favored; you have a chance of being put on the committee that you want. They put you on some as a matter of service. That happened my very first session. I was made chairman of the Senate Committee of Public Health and Quarantine. I told the presiding officer that I was not interested in that; I had agriculture and colleges and other interests. "Well," he said, "there's a battle on between the different schools of medical practice and we want members of the committee, at least the chairman, who is not identified with any one school or any side of that controversy." Also, my second session, I was made chairman of the Committee on Drainage, Swamp and Overflow Lands. That was because there was bitter controversy between the Sutter Basin area just north of Sacramento and the Marysville area and they wanted somebody as chairman of the committee who didn't come from either section or didn't have any affiliations or alignment with either side. So my first and second sessions, I was made chairman of committees on controversial issues because I was a disinterested party.

Gilb: Of course, you were usually with the administration during this period, but when it came to Richardson's

Gilb: administration, you weren't. Did that affect your committee assignments?

Jones: Of course, Young was lieutenant-governor during Richardson's time, so he was the one who had the say about it, not Richardson. But, in connection with one bill, some assignment, it was the federal child labor amendment, Richardson referred to three of us, Jack Inman was one, and myself; he said, "I'm not going to have those whelps handling that bill for me."

Gilb: I was thinking of the present Senate Labor Committee which is composed of quite strongly anti-labor men. Apparently somebody up there manages to stack committees in certain directions.

Jones: Stacking was just the other way around in Johnson's time, and under Young. The majority was given to labor. Both sides were represented. There was a voice or spokesman for both interests or both sides on the committee, but the control of the committee was pro-labor under Young and under Johnson.

Committee work is very important. Take, for example, a committee of nine members; if five of them are there in their seats and attending to business, and support the bill, why, it passes. In other words,

Jones: your influence is greatly magnified by your being on the job in committee. A majority of a committee of nine is five. Down on the floor in the Senate you'll need 21 in the Senate and 41 in the Assembly to put a bill over. So you can see how much more your influence is magnified in committee.

Methods of Getting Bills Passed

Gilb: I wonder if you could tell me, as if you were telling a young freshman legislator, some tricks of the trade on how to get a bill passed. Whom do you have to see? How do you line up support?

Jones: Well, the essential thing if you have to get support is to bring the pressure from the home people, get the constituents of a particular legislator to write to him or phone to him, urging him to pass a bill. The strength of a measure has got to depend upon the support it has in different districts. The legislative lobbyist or the representative of the bankers at one session and maybe other sessions never talked to a member at all. If there was something coming up, he phoned the banks of the state. They got busy with their legislators and the lobbyist got the result he wanted. He never did any interviewing of the legislators, himself.

Gilb: Say you had a bill yourself that you were going to introduce and wanted to get passed, would you personally try to put pressure on the constituents so that the members you wanted to vote for it...

Jones: Well, first of all, after you serve in the legislature you get to know the attitude and reaction of the members. On many bills you can take a roll call and tell in advance how most members are going to vote, for or against. You know those that you've worked with and have a similar philosophy. In fact, during my earlier sessions under Johnson and Stephens and Young, the Progressives worked like a well trained football team. I didn't have to go around to Senator Harris or Dennett or Luce or Carr and ask them to support my bill. If some of the people who voted the ultra-Conservative wing attacked it, they just automatically fell in and ran interference and helped out. They bowled over the opponents. They just closed ranks. So you had that as a basis to start on. If there was a bill you felt really needed some explaining or campaigning, you went to the members in advance and said, "I've got this bill; here's what it does. I'll bring it up in the next few days, and I want you to get back of it, to help me." That's one thing: you have a common interest, a common atti-

Jones: tude, a common approach; and those men lean on you when they have their bills. It isn't a matter of trading on a particular bill; you just know their attitude. So that's the starting point.

Then if you have a close contest on a bill, if there are people back of it--women's clubs, or farmers, or labor--you have to go to their leaders and say, "Now, we'll need some help here. This senator and that senator are luke-warm or hostile and you've got to get their constituents to get in touch with them and get them to support the bill." In other words the most potent influence comes from the electors who put the legislators in office. Through letters or telegrams or phone calls.

If you have a real fight on, you have to get the backers...On a major issue, you aren't the only one up in Sacramento handling it. The groups--farmers, educators, women's clubs--have a state-wide organization and you have to call on them to get busy and work through their home people, work on this legislator or that legislator.

Gilb: Did you use this same technique to get bills out of committee?

Jones: Yes, you'd have to do the same things there. Two things

Jones: essentially. The members of the committee that you know, work with, who respect your judgment and sincerity. They more or less would automatically help you out. You didn't have to go and argue with them...waste time. But on a closely-contested bill, why, you have to fall back on a more potent influence still. That's the home people who put them in office.

Gilb: Do the people who appear at committee hearings influence your vote one way or another?

Jones: Yes, I think so. They ordinarily are the best posted people in the state. They're experts. Of course, you have to discount or make allowance for some of them being partisan, but you get recognized authorities talking on prison reform, juvenile delinquency, mining matters, agricultural problems, standardization of fruit, things of that kind. So, those people who come before the committee have a great deal of information.

Gilb: Did you find sometimes that people blocked your bills just in order to force you to support theirs? And what would you do in that case?

Jones: Strangely enough, I had very little of that when I was in the legislature. The outstanding case of it was years afterward, when I was up in Sacramento representing the Santa Clara Valley Water Conservation

Jones: District on legislation to get the state to appropriate money for re-routing the highway around Lexington Reservoir. Senator Thompson of Santa Clara County was handling the bill for us, but there were some senators up there that had bills of their own, and they just bluntly told him that if you don't support our measures, we aren't going to support yours. He finally compromised on the gas tax bill, and so they flopped in line and supported our bill. But that was the most brazen case... and when I was in the legislature I don't recall a single case where...oh, I know it's done very frequently, but I was lucky in not having to make deals like that.

Gilb: Do you think that speeches on the floor effect the vote for bills very much?

Jones: On very widely publicized issues, I would say not. The men have been talked to by their home people and read the newspapers and have their minds pretty well made up. But on a lot of the run-of-the-mill stuff, bills affecting agriculture or mining or schools or something of that kind, talks by the members of the legislature in committee and on the floor are influential. Of course, the most important thing is to get the recommendation of committee because with thousands of bills, the members

Jones: can't even possibly look at them, hardly even the titles, to say nothing of the bills themselves. So we've got to rely on the committee, and if you have confidence in the chairman of the committee, you pretty much follow his recommendation. If you distrust him or don't have confidence in his judgment, then you have to get a little outside information. But then there are a lot of run-of-the-mill bills where somebody comes from a mining county bringing his bill because it's necessary for this reason or that or somebody brings a bill from a fruit county. When they talk about something they're familiar with, it wins votes, it wins support.

 I can give you one incident where tactics on the floor were effective. This concerns Senator Edgar Luce of San Diego. He started in 1906 in the battle there ahead of the Lincoln-Roosevelt League. He was a militant chap. There was some bill in Johnson's time supporting Johnson's platform, and Johnson called us into his office. My impression is that Luce and a bunch of us were down at the Saddlerock Restaurant that evening for dinner. It's a restaurant that's been down there near the River since the early mining days. They have a

Jones: wonderful steak meal there. Well, at any rate, this dinner was a get-together. Luce told me afterwards that this was Johnson's suggestion. Luce said, "Are we going to sit there all day tomorrow and let the opponents hammer us over the head? Why not beat them to the punch?" So it was arranged that the presiding officer should recognize Luce first.

The next day the presiding officer just "happened" to be looking down in Luce's direction and recognized the Senator from San Diego and he started in. He took the hide off of Stuckenbruck and some of the Democrats who had been opposing Johnson. He really went after them. He dug up their record, votes in the Assembly, and so on. Luce's seat was across the aisle from mine. Stuckenbruck's seat was in the row behind and just to the right of mine. After Luce got done, the Democrats all hopped up, fighting mad and demanding recognition. Stuckenbruck was the one recognized first. And he started in. I remember this sentence. He shook his fist right in back of my head. He shouted, "I'll have the young man from San Diego understand that my record is just as honorable as his!" And he went on to defend himself. All morning these Democrats were defending

Jones: themselves from the attack Luce had made on them.

(laughter)

They didn't talk about the bill at all, you know. They were all on the defensive. That is an example of the tactics of a trial lawyer. When you have a weak case, why, "try the district attorney." It just worked perfectly. After I got home at the end of the session, I was cleaning up my papers among my files and I found a note from Luce which he had slipped across the aisle to me. I opened it and it said, "Stuck has swallowed the bait, hook, line and sinker!" It was a perfect example of psychology, you know.

Influence of Governor and State Agencies

Gilb: Governor Johnson had the reputation of having the most control over the legislature that any governor had ever had. Was that your feeling?

Jones: I think that's probably so. I don't think it was so much the actual or implied threat that he would veto your bill if you didn't support his policies; I think it was more because there were certain issues and policies which the public supported and for which he was the exponent, and I think the public had elected a

Jones: legislature that had the same point of view as he had, in the main. Now one of the most important bills that he recommended was the Alien Land Law. I voted for the bill on final passage, but voted for a postponement. Afterwards he saw me and said, "Jones, I never understood why you voted for that postponement." He didn't like it, but he never attempted to take it out on me.

Of course, from San Francisco, there may have been a little more of selfish interests. Also the San Francisco delegation was headed by Senator Thomas Finn, and he knew that a new power had come into the ascendency and had the appointment of state officials and patronage and so on, and if he was going to get in on that, he would have to play ball with Johnson.

Gilb: I was wondering whether Johnson used patronage.

Jones: Yes; I think with a delegation like the San Francisco delegation, he practically had to. Because they were more or less interested in things like patronage; I don't think they cared so much on principle on a lot of issues; they were elected by a strong labor constituency; they had that vote; wets had control of it. I think that patronage was the hold that Johnson had with the San Francisco vote.

- Jones: On the other hand there were men like Senator Harris of Fresno, Senator Dennett of Modesto, very high type, intellectually honest men; insofar as they went along with Johnson, it was because they sincerely believed the things that he believed in.
- Gilb: To what extent did the various other governors use their influence to get bills passed? Were the other governors as successful as Johnson?
- Jones: In the main, yes. Friend Richardson was a very practical man. William Stephens was not as forceful a character. Of course, without ever saying so, the governor is in a position to sign or veto a bill, and if a legislator goes out of his way to oppose the governor's program, why he doesn't have much chance of getting the governor to sign his bill. So every legislator is shrewd enough to know that he doesn't want to make an enemy of the governor, if he expects his own bills to be signed. So right on the face of it, it seems obvious that the governor has a lot of influence.
- Gilb: So you think that a governor ought to take an active role in seeing that his bills get passed or the ones he opposes don't get passed.
- Jones: Yes. The theory is academic, that there are three

Jones: departments of government--executive, legislative and judicial--and that the legislative ought to legislate. But the governor has a program and he has got to exert some influence to put it through. I think Eisenhower is suffering today from expressing certain preferences but not being quite emphatic enough about them. At least, the columnists are all telling about how he could have picked up votes from his own administration on the school bill, and how a little decisiveness which you ordinarily expect from a military man, but which was not exhibited, could have saved the day on several of these bills.

Gilb: Did state agencies lobby a great deal when you were in the legislature?

Jones: Yes, so much that Governor Johnson had to call them together and spank them. Sometimes one was working against the other.

Gilb: I'm sure they'd be competitive many times.

Jones: Yes, many times. And sometimes working directly against the governor's program. So he had to let it be known that he didn't want them lobbying on matters that were not in line with his program. In other words, he didn't want the left hand biting the right hand.

Gilb: How extensive was the control of the Conservatives

Gilb: over the legislature during Richardson's administration?

Jones: There's always the tendency on the part of some legislators to play up to the governor. They want a bill signed, and they want favors from him, and they want appointments in their local counties, so that some of the men who backed up Hiram Johnson and Stephens swung over to Richardson and supported him.

Gilb: Just opportunism?

Jones: Yes, it was kind of a revelation to me and a disappointment to find men whom I had been working with, counted on as rather sincere in their convictions, going over to the other side.

Patronage

Gilb: Did you have any influence at all on the governor's appointments? As a state senator.

Jones: Yes, if you're part of the administration, you're listened to.

Gilb: What appointments could you influence?

Jones: Well, I have in mind in the Corporation Commissioner's office, and some of the different state government departments. If I recommended somebody I thought was

- Jones: well qualified, why, in several instances my recommendations were followed.
- Gilb: How about judicial appointments?
- Jones: When Richardson was governor, I didn't have any influence on local judges. I have forgotten what vacancies there were, but with governors like Johnson and Stephens and Young, if they expect you to carry their campaign, help them out locally, they're willing to listen to you about local appointments. That's particularly true of Johnson. Hiram Johnson said, "If you legislators recommend somebody, I'll back him up, I'll appoint him. I look to you..."
- Gilb: Sounds like a very practical politician.
- Jones: He wasn't so much interested in supervisors, and chambers of commerce, or anybody who didn't back him. But the fellows who were part of his group, his organization, who helped put him in, he would stand by them.
- Gilb: Sort of a spoils system.
- Jones: Well, sort of, yes.

Lawyers in the Legislature

- Gilb: I wondered about lawyers in the legislature. Of course you were one. I presume that all members of the Judiciary Committee were lawyers also.

Jones: I think so. There once was one exception. Newton Thompson, of Los Angeles, was on the Judiciary Committee. He was better posted on property matters than many lawyers. He was one of the officers of a big title company in Los Angeles. So far as I can recall, that was the only case of one who was not a lawyer being on a Judiciary Committee.

Gilb: Did lawyers as a professional group tend to vote together or there was just no cohesion?

Jones: Except on bills particularly affecting the practice of law, I would say that they didn't vote as a group. I think they lined up on their economic attitude, on their liberal vs. conservative viewpoint. I don't think the fact they were lawyers entered into it very much, except when there'd be some particular bill affecting the practice of law. Even then, unless it was controversial, there wouldn't be an active lineup. I remember one example where the lawyers didn't vote as a unit. There was a bill introduced by someone, I presume it was an attorney, to give lawyers a lien on the judgment they helped to obtain. When the debtor came to pay the judgment, the County Clerk would have to hold out the amount to pay the lawyer his lien for his

Jones: services. When that bill came up some of us attorneys didn't think it was a necessary or even a dignified thing, and realizing humor or sarcasm is sometimes more deadly than direct attack, when the bill came up on the floor, I offered an amendment that the lien should not only apply to lawyers, but the minister should have a lien on the contents of the collection box, if any. I think I received more newspaper publicity over that fool, little joking amendment, but the Senate put it into the bill and it killed the bill. Just an example of attorneys disagreeing. Senator Nelson of Eureka, prominent lawyer, he and I opposed the bill. Other lawyers supported it. When the proposal came up, there were as many lawyers against it as for it.

Gilb: Did you tend automatically to go along with what the California Bar Association recommended, or did you take issue with their proposals?

Jones: Well, one of their most fundamental issues I opposed at the time. Did I tell you about...

Gilb: Yes, the State Bar Act. How about other proposals?

Jones: Other than that, I think, their whole program of judicial reform I supported.

Gilb: The Judicial Council, for instance, you were for?

Jones: Yes.

Gilb: More salaries for judges, that's something they campaigned for.

Jones: Yes. To digress a moment on salaries, in my first session...the legislature in those days had to fix the salaries of the county officials, and the other members of the delegation asked me to take on the task. So I interviewed our county officials in Santa Clara County and the deputies, and we worked hard and prepared a bill giving stenographers in some offices \$5 a month increase, some \$10 a month, with heads of departments appropriate increases. When I came back to San Jose, I thought I'd be welcomed with open arms. The first time I went down to the Court House, there were glowering glances, and an atmosphere of hostility, frigid as could be. Come to find out that none of them were thankful for the increase they had got. All they saw was that they didn't get as much increase as some other employees did; they resented it. It was a matter of comparison with the others instead of what they got. I thought that was an attitude of rather...immature personality. Young clerks, and stenographers.

Some sessions afterwards, the Constitution had been amended to allow the legislature to fix the salary

Jones: of judges of the Supreme Court. After the session was over, I met a judge of the Supreme Court on the street. We had increased their salaries from \$8,000 a year to \$11,000, and I thought he would be tickled to death, most grateful. But when I approached him, there was a scowl of heaven on his brow. He lit into me, abused the legislature, and I was taken aback completely. I couldn't imagine what the trouble was. Come to find out that in our bill, we had given the Chief Justice \$500 a year more than the Associate Justices because he had to attend to the assignment of trial judges in different counties, had extra work, and the thing that rankled with this judge of the Supreme Court, who lost sight of the \$3,000 increase, was the fact that the Chief Justice got \$500 more than he did. So I learned something about human nature.

Gilb: You know ever since the original Judicial Council Act, there has been a strong move to try to centralize the administration of the courts and Chief Justice Gibson has been particularly active on this. Why wasn't a stronger provision made at the time that the act was passed? Wasn't it proposed at all?

Jones: I have no distinct recollection, but my impression would

- Jones: be that it was not proposed. They could have had whatever they wanted. But I have no distinct recollection of that.
- Gilb: But you were for the Judicial Council, for all that sort of thing.
- Jones: I felt that the State Bar had sound judgment on most matters involving matters of legal procedure, practice, so on. I felt in most cases their recommendation was worthy of being followed.
- Gilb: In discussing the relation of a lawyer to the legislature, there is the problem of retainers. In your experience as legislator, have you...
- Jones: I've been asked numerous times to accept employment to get somebody pardoned. And I said, "No, I won't do that. I'll go to San Quentin and interview the man and if I think there's merit in your recommendation for pardon or reprieve or parole, I'll go and tell the Governor. But I want the Governor to know that when I'm talking to him, it's not a hired opinion, it's my own independent opinion. It may or may not be right or sound, but it's my own individual opinion." There are a lot of members of the legislature who take employment on prison cases, pardons and parole. I never did. I

Jones: always wanted the Governor to know that whatever view I expressed was my own unbiased or disinterested view.

Gilb: Did any of the other members of the legislature, to your knowledge, take retainers that were influential in a way that you thought was not good?

Jones: I think several legislators have taken retainers in these pardon cases, to help a prisoner get out of San Quentin.

Gilb: How about retainers from special interests?

Jones: There has been more or less of that, true. Of course, all unwittingly, if you come from a prune-raising county, where you are committed to the cause of the horticulturist, you are going to work for the bill he wants. That, of course, is just the legitimate job of the elected representative. But I--oh, there have been some scandalous cases in recent years. Where some of the members have taken retainers. Racetrack gambling interests, liquor interests, and so on. Some have accepted money from Artie Samish. I think it's a rather minor number, on the whole; I think the legislature tries to be pretty honest. If certain interests elect legislators, they've got them without having to hire them.

Campaign Contributions

Gilb: Yes. I was going to ask you about that, whether the more subtle, modern technique of influencing a legislator is through campaign contributions.

Jones: Yes. I think that it more or less commits a man. He can't accept extensive campaign contributions from certain groups without being more or less in his own mind honor-bound to play along with them.

Gilb: Now you never took them. Did most of the legislators also refuse any contribution?

Jones: Of course, in my time, the thing hadn't developed to the fine point it has today. In my case, my situation was rendered quite simple after the first session. First session, everyone is feeling you out. Wanting to pull you and haul you to do this and that, to find out how you stand. After that, you weren't bothered. Your friends knew they didn't have to worry about you and your enemies knew it would do no good. So you weren't pulled and hauled after they once found out about you. You had a record more or less consistent. Now I had the record that upheld the cause of the Drys. I had their vote.

Gilb: Naturally, the liquor interests wouldn't approach you!

Jones: No, they knew it was no use. If they could get a candidate in the field to defeat me, why, they would, but --no, after the first session, you weren't subjected to so much pulling and hauling.

Gilb: Did you ever see personally any cases of open bribery in the legislature?

Jones: An amusing thing. Sometimes we'd be a little short for time getting away home on a week-end. So I turned over my salary warrant to my secretary, and I said, "Go down to the Treasurer's officer and cash this for me." So she did, came back to her seat right beside mine. There happened to be a man from Santa Clara County who was a kind of a prominent fellow, but naive as could be. He came back and told the president of the American Trust Company, "Well, I've got no confidence in Jones any more. I saw him being paid off." (laughter) The president said, "If you've got any sense, Jack, you'd know that he wouldn't accept it in public if he was being bribed for anything. He'd at least have it handed to him privately." So this bank president straightened him out.

I don't know a specific case where I actually know

Jones: a deal was made. You can judge from appearances on some things so that you are morally sure. I know Senator Judah, from Santa Cruz County, told me that in his last campaign, Samish was down there and wanted to put his money back of Judah in the campaign. Judah said, "I don't want your money." But the Samish people had billboards boosting him. They knew he was going to win, and they might as well curry favor with him; he couldn't shake them off.

Now that's the extent to which they sometimes went. Oh no. I think the Philbrick report is probably a basic document on the use of money by large interests. That's what is going on in Washington in the oil business. Present time, interests have a tremendous amount at stake. Have gotten kind of careless or bold. They don't go to a man and say, "Here's \$2,500 to vote for this bill," but it's contributed to his campaign expenses. Well, the thing that is uppermost in a contributor's mind is some particular bill. They have the means of making it known that they are favorable to that bill. That's really quite a problem with a constituency so vast as a whole state. Making a campaign without getting tied up. If there is a group that you are

Jones: going to support anyway, if you have come to a conclusion on a particular bill, then you can say, "Well, now if you want to be sure I'm elected, you're going to have to help some." But contributions really are a problem.

Federal Plan of Reapportionment

Gillb: Did you take an active interest in the federal plan of reapportionment in the 1920's?

Jones: Yes, the modified plan; I advocated what was known as the three-eighths, five-eighths plan. I felt that there should be some modification of population control of both houses. Let one house be controlled by population, namely the Assembly, but Los Angeles and San Francisco, which are the habitat of the financial interests of the state, the transportation and banking centers, may be a little at variance with the agricultural, mining, lumbering, and other interests. There can be an economic diversity. So, I thought one ought not dominate the other. But on the other hand, I didn't think that Los Angeles with its vast population or San Francisco or Oakland should have only one senator each. So I proposed that they elect on the basis of population,

Jones: except that the three most populous counties could never have a majority, but could have only three-eighths of the strength of the Senate, and the outlying counties, five-eighths.

Gilb: That sounds very reasonable. How much backing did you have for this?

Jones: Well, the reapportionment was put off session after session. After the 1920 census and the basis of representation on population for the various counties was made known, some bills were in, but the legislators who were going to be displaced put up a desperate fight in the legislature, so the thing was put off in 1921 and '23 and '25. Three different times. Then came '26, '27. Well, I proposed the $3/8 - 5/8$ plan but I didn't get enough support for it. The small counties didn't want to surrender that much to three big cities. They stood adamant for one senator per county, so that gave the three big counties instead of three-eighths--instead of fifteen, the present plan gives them just three votes in the Senate. I'd have given the three big counties fifteen votes, but not a majority of the 40 members.

Gilb: It seems that certain very moneyed interests both in San Francisco and Los Angeles were for the federal plan

- Gilb: despite the fact that it would minimize the number of representatives they would have.
- Jones: You're right. They thought they were safer in the hands of the "cow counties" than of their own people.
- Gilb: Because labor would be most numerous...
- Jones: Particularly in San Francisco and to a certain extent in Los Angeles. Yes, they'd rather trust outside counties than their own counties. That had a great deal to do with putting over the present federal plan.
- Gilb: I know Harry Chandler was one of the supporters of the plan, and I also know he owned a lot of land in the various inland counties. And I wondered if some of the other city supporters of the federal plan also owned land up and down the valley so that they figured they could wield more influence through the cow counties.
- Jones: Well, how much of it was due to their holdings outside of their own home county I don't know, but the thing you first mentioned we generally recognized, that some of those groups there were afraid of labor domination in San Francisco and to a certain extent Los Angeles, more particularly in San Francisco, and voted contrary to what you'd think would be their self interest. They voted...let the control be passed over from their own counties to the cow counties.

Qualities of a Legislator

Gilb: Then I wanted a summary question from you. What qualities do you think a good state legislator should have?

Jones: Well, he can't be so far in advance of the procession that he doesn't have backing. Let me repeat a story that Chester Rowell used to tell. Maybe you've heard it. A man in a strange community standing on the sidewalk and a crowd of people running down the street. Great excitement. A man coming along leisurely behind the procession. The stranger on the sidewalk said, "Why don't you keep up with the crowd?" "Oh, no," he said, "I mustn't; I'm their leader." (laughter)

The legislature doesn't mold public opinion. It doesn't lead; it follows. And I think the ideal legislator must be a man who is just far enough in the lead so that he helps progress, but if he's too advanced for his time then he's not elected. In other words to be effective you've got to be in office.

I've heard men in this community say, "Oh, if I were in the legislature, I'd do thus and so..." Well, they'd only be there for one session, too opinionated, too individualistic. So I say there has got to be a compromise between your own individualism and the wishes

Jones: of your constituents. I would say that a legislator should be forward-looking and seek to solve the present problems of the community and the state, but his eyes should be beyond the limits of his own county, to state-wide problems. On the other hand, he can't be so far in advance that people won't elect him to office.

Gilb: What do you think is a bad legislator, presuming that he is elected. What traits do you think are unfortunate in legislators?

Jones: Well, I've seen a few who were just actuated purely by self-interest, promoting some concern they were interested in, some interest. Next to that, I've seen those who have been tied up so close to certain groups that the general welfare of the public suffers. I haven't seen very many that were downright dishonest. There were some...I think the more general criticism would be that they're overly partisan.

CALIFORNIA POLITICS

Hiram Johnson

Gilb: Governor Johnson was a decisive-type person. Despite what you've said about legislators, I have a feeling you rather admire the decisive approach to...

Jones: Well, I do. A problem has got to be settled; you don't gain anything by unnecessary delay. Of course, you've got to give both sides a hearing. You can't be precipitate; you've got to be thoroughly informed on merits and demerits. But when you've made up your mind, then, have it over with.

I remember one example of Johnson's decisiveness. When William Jennings Bryan came to California in opposition to the anti-alien land bill, he was entertained at the governor's mansion by Hiram Johnson. Bryan was an ardent Dry and on one occasion the Governor had several prominent citizens to meet Bryan at luncheon and Johnson had wine at the table. Bryan said, "I don't partake of wine; will you remove this from the table." It made kind of a tense moment. Johnson who was the host, said, "The wine is for those who care for

Jones: it. Those who don't, don't have to partake. Gentlemen, be seated." (laughter)

Of course, I'll make this comment. I think Hiram Johnson was an individualist, and he liked to be the highest peak in the range. He didn't want the other peaks to be quite as high as he was. I think that would describe him and describe a little of this attitude toward men that were around him. Senator Frank Benson made the remark, "We fellows in the legislature, we're so down in the foothills that Johnson never worries about us. It's those that begin to tower up in the range..."

Gilb: Well, Frank Heney had been his rival for a long time.

Jones: Yes, Johnson was a very human man, you realize that. At times did a good favor too.

Gilb: I think that most strong individuals believe in individualism for themselves, but for others only provided it doesn't get in their way.

Jones: Something in that. We need leaders, though. When I was in college, I wrote a paper denouncing the political boss. Now I realize that the political manager, or boss, is more or less inevitable, an integral part of our American political system. There has to be some

Jones: leadership, and the person of strong convictions, or with interests to be served, is more or less naturally drawn into politics. Or at any rate it inevitably happens that whoever takes an interest pretty soon has responsibility placed on him and pretty soon has opportunities. There's a saying that if at a public meeting one shows indignation or pity, he gets put on a committee. If he takes advantage of those, the first thing he knows he has a following.

Gilb: Yes. Well, the word need not have bad connotations. It's simply a statement of power, really.

Jones: That's correct. You have the leader of a reform movement, and the movement to be successful has to be spearheaded by a leader. So I think that in our democratic system, leadership is inevitably bound to occur. In fact, without it, it is hard to think how democracy would function.

Carnahan - Rowell - Rolph - Stephens: 1916, 1917

Gilb: To get back to Johnson, I have a note here that Johnson would have preferred H. L. Carnahan for lieutenant governor at the time that William Stephens became his lieutenant governor and that Stephens was sort of foisted on him, and Johnson was very reluctant.

Jones: That was largely a matter for Southern California. My understanding was that he would have preferred Carnehan, but the influence of Southern California and, I think, the Drys, Gendier and the Anti-Saloon League, was just so insistent that Johnson yielded.

Gilb: Did you take any part in this at all?

Jones: No.

Gilb: I think that at the time Stephens became Johnson's lieutenant governor, there was some talk of John Francis Neylan's being a lieutenant governor. Did you hear any of that?

Jones: Well, I have no recollection of it now. Neylan would know. I have no recollection.

Gilb: What were your relationships with Chester Rowell? I have a note that he replaced Francis Keesling as Republican State Central Committee Chairman in 1916. Was Rowell a very close friend of yours?

Jones: Yes, I'd regard myself as a close friend of Rowell. I admired him, both in his intellectual capacity and his courage and the things he stood for. Yes, I had a very high regard for Chester Rowell.

Gilb: Chester Rowell was suggested as candidate for governor in the fall 1917 to run against Stephens in the primary,

Gilb: but he became ill and couldn't. Would you have been for Rowell instead of Stephens?

Jones: Well, I don't remember that suggestion. I regarded Rowell as an intellectual giant. Very able man. More aggressive than Stephens. Much abler, better posted, a clear thinker. I would say that Rowell was an abler man, by all odds. Stephens was a good natured, well-meaning man, a kindly man, but slow in his thinking. But if Stephens was the incumbent, that makes a difference. I don't have any recollection of that struggle between the two of them.

Gilb: Also, I noticed that James Rolph was the Democratic nominee for governor in 1918 and then lost out because...

Jones: He didn't get his own party's nomination.

Gilb: That's right. Would you have been for Rolph at that time? Instead of Stephens?

Jones: No, I would have been for Stephens.

Gilb: What did you think of Rolph in those early days?

Jones: Well, he made a very fine record in the earthquake, administering relief, having it impartially distributed, and in his early term as mayor. In his later years, he got to be more or less easy-going.

Johnson and Stephens

- Jones: Johnson took a great deal of offense at Stephens' friends, who were trying to urge him to retire and let Stephens take over, after he was elected Senator. He just got his back up. Stephens would have been in the governor's chair a good deal earlier if his friends hadn't been so importunate and tried to crowd Johnson. Johnson wasn't the type of man who could be crowded.
- Gilb: In other words, he stayed on as Governor out of sheer stubbornness.
- Jones: There was all the difference in the world between Johnson and Stephens in their firmness and character, illustrated by this thing: if a judge was going to resign and came and told Johnson, Johnson would say, "Now, hold up your resignation until I'm ready for it." And Johnson would cast around and have a successor in mind, and then when he was ready for the resignation, the same issue of the paper that announced the resignation would announce the appointment of the successor. That way, Johnson didn't have to make a lot of enemies. Stephens, on the other hand, would give everybody a chance to show his strength. One candidate after another would enter the field so that Senator W. J. Carr

Jones: of Pasadena, who was a good friend of Stephens, said that the Governor, by the time he made the appointment, had eleven enemies and one ingrate. (laughter) Now that was the difference in the two men. Johnson was effective and active, and he would see something coming and head it off. Whereas Stephens would just let things pile up, let endorsements for each candidate come in and their friends work up a backing for them and get all steamed up. When they were turned down, they were bitter; they were enemies, and the one appointed didn't thank him very much.

Friend Richardson

Gilb: When Richardson ran for the governorship, did you back Richardson?

Jones: No; opposed him. Richardson ran to defeat Stephens.

Gilb: And you were for Stephens. Was Johnson for Richardson at that point?

Jones: No, not at that point. He had appointed Richardson state printer. Then Richardson ran for state treasurer, more or less on his own. I think he was at first a Progressive, but he finally swung over.

In his campaign against Stephens, Richardson had

Jones: a woman from Arizona who had been a tax commissioner down there, Nellie Pierce, and she was a clever campaigner. The governor's mansion had a dinner service; there were some pieces there of gold, gold plated, but it was incomplete. I don't remember whether it was a half a dozen or four or five. So it was thought to be cheaper to complete that gold plated service to make a whole dozen of them than to buy a dozen of a new, less expensive, silver service. So that was done. But Nellie Pierce went to the state archives and made a photograph of the warrant authorizing payment for the gold plated table service for the governor. That was the thing she played up. Deadly--that kind of appeal to the mind of the average voter. He can comprehend that when he can't comprehend millions of dollars of state expenditure. That's one of the things that tripped Stephens. So when Richardson won, he made her director of finance.

Presidential Campaigns, 1920's

Gilb: Did you back Johnson in his various campaigns for the vice-presidency and then for the presidency? Rather than, say, Hoover.

Jones: Yes.

Gilb: In the twenties there was a strong Hoover movement. You were for Johnson all the way down the line. You were not for LaPollette then, I take it, in 1924?

Jones: Well, there was a mix-up in 1924. You know we started out for LaPollette and then those that were back of him suddenly switched. That was a campaign in which some of the leaders out here in the state started out for LaPollette and then dropped out.

Gilb: I understand that you were for Coolidge in the mid-twenties. Chester Rowell was the leader for Coolidge in 1924.

Jones: We could use some of Coolidge's Yankee thrift today in reducing the national debt and cutting out extravagance in government. However he never appealed to me like a Theodore Roosevelt or a Hiram Johnson.

Gilb: Apparently in 1925 you sent a note to Rowell (this is in the Rowell Papers in the Bancroft Library) asking Rowell to deny charges that you had opposed Coolidge in the last election.

Jones: Well, I'd have to get the whole history of that campaign, who was on the other side. That doesn't ring a bell with me that I wrote such a letter to Rowell. I may have

Jones: supported Coolidge perfunctorily, being a Republican office holder myself. But he didn't have the appeal of a Theodore Roosevelt or a Hiram Johnson.

C. C. Young

Gilb: What part did you play in the Young campaign for governor?

Jones: I was a sort of "king maker." Young was figuring on getting in the campaign and hesitating, and one afternoon I got a telephone call from Franklin Hichborn in San Francisco. He was doing publicity work there. He telephoned to me to come up and meet him that evening, and he simultaneously telephoned to Senator Jack Inman to come down from Sacramento, and he telephoned Young, and we all met in Hichborn's office that evening. And we told Young that he had to announce and do it immediately or it would be too late. Well, Young was a cautious man, and he wanted to be sure and he wanted a little more time. But we said, "It's now or too late. Tomorrow, according to our information, George Cryer, Mayor of Los Angeles, is going to announce. If you want to be elected Governor, you've got to make your announcement right here and now." So he made his announcement. I've always felt that we three pitched

Jones: him into the cold water. Next morning, Senator Inman and I went around to Hiram Johnson's office. He met us rather coldly. His first word to us was, "Now you've nominated him, elect him." In other words, Johnson was in favor of Neumiller of Stockton as a candidate for governor, in preference to Young.

Gilb: What did you think of Cryer?

Jones: I didn't know him very much. I just knew Young and was backing Young. I liked Young.

Gilb: What was it about Young that appealed to you the most?

Jones: Well, he was a sincere, devoted public servant, conscientious, very hard worker and he had the same general ideals that I did...the same general political philosophy.

Gilb: Did you have much difficulty in putting Young over as a governor?

Jones: No. There were other candidates who were disappointed. Will Wood was ambitious to be governor. He was quite a friend of Young's. He was kind of sore at me for getting into it, but we figured that Young could be elected and Wood was in a place where he was pretty useful already. Neumiller was a prominent lawyer in Stockton, a very forceful man, took part in a lot of political conventions, campaigns. Johnson made him

Jones: President of the Board of Prison Directors. He is not living now. A man named George Ditz has taken over his practice. I think maybe Neumiller had a nephew--Ditz and Neumiller, of Stockton. He was a very prominent and forceful fellow, one whom Johnson greatly admired. I guess Johnson helped out in Young's campaign, and made some declarations later on. But his choice would have been Neumiller.

Gilb: What distinguished Young from Neumiller in your mind? Why was Young the preferable candidate?

Jones: Well, he'd been Lieutenant Governor. He had a well-known record, which Neumiller didn't have. Neumiller would have to declare himself and establish his record. Young represented beyond question the policies that I favored.

Gilb: Then what did you do to help get Young elected?

Jones: Well, the campaign was in the fall of 1926. I was scratching for votes to get myself re-elected to the State Senate then. In so far as I could, I pitched in and helped Young. In fact, my hands were free after the primaries. I won my fight in the primaries. Then I was Chairman of the Finance Committee to raise money for the state ticket here in this county. I could do

Jones: that after my campaign was out of the way in the August primaries. I had August and September and October to carry on the fight. I have no distinct recollection now. All I can say is that I did everything I could to help after I got myself elected.

Gilb: Were you disappointed in him after he got in?

Jones: In some respects, he wasn't as forceful as I'd like to have seen. He was a very conscientious man. I think he tried hard. When you compare any man with Hiram Johnson, that man's in a difficult position. Johnson was so outstanding, so dynamic, so emphatic, so able, that most any other person suffers in comparison. So Young--Young himself said, "I'm no Hiram Johnson." In connection with battling for certain causes.

Gilb: And then I take it that you and Young were very close friends after he was elected.

Jones: Yes.

Gilb: This made it quite easy for you, didn't it?

Jones: Yes.

Gilb: And then you must have worked very hard to try to get him re-elected instead of Rolph.

Jones: Yes.

James Rolph

Gilb: Did the fact that Rolph was elected diminish your influence considerably in the legislature?

Jones: Yes, I wasn't in the same position as I was with Johnson or Stephens or Young. Not having worked for the Rolph people, why they didn't feel they owed anything to us.

Rolph made a very fine record as administrator of relief in San Francisco right after the earthquake. And I think stood off all kinds of attempts to graft on relief funds and so on.

Gilb: Of course, he was quite a different man by the time he was governor, in some ways.

Jones: Yes. He was easy-going, and advantage was taken of him. The story used to be quoted on him showing how politically minded he was. "If there isn't a Rolph man for the job, abolish the job." That's a quotation that used to be circulated about him. He didn't like controversy; he didn't like to be put up against acute problems. He took things easy. He was genial, big-hearted, kindly. That's where you're spoiled having worked under a man like Hiram Johnson. Johnson was decisive. Rolph's administration of the Whittier school and his appointment of cronies brought on wide criticism. He appeared to be

Jones: playing political favorites, paying off political debts. As I say, he was...he didn't hold up in his latter years to what he had been in the early days.

When Frank Merriam was lieutenant governor, he was aspiring to become governor. And he was perfectly willing to have Rolph undermined. So Senator Inman put through a Senate resolution, and Merriam appointed a committee, to investigate the Rolph administration, and I was one of the members of that committee. Merriam said, "I have to appoint one Rolph man. Inman, you can have the other four members of the committee." So we conducted that investigation. I wish you could read the report. We were so terribly crowded with all the work of the legislative session that we had Sheridan Downey as counsel for the committee...

Gilb: Was this his maiden voyage into politics?

Jones: Yes. Governor Rolph's Director of Institutions, Dr. J. M. Toner, appointed a hard-boiled deputy sheriff, from Arizona, I think, to head the Whittier State School for Boys. Nelles, the former Superintendent,

Jones: had gotten rid of all firearms from the staff and the assistants. This new superintendent brought them back, and the attendants were pretty rough on the boys and the boys were revolting and running away, and the Rotary Club of Pasadena took an interest in it and made a report.

In our investigation, we found that people sent us stuff anonymously and surreptitiously. A lot of it we couldn't use and found was just spite. But every now and then, we'd just find a gem. And somebody, on the inside there at Whittier, had gotten hold of the minutes and sent our committee a copy of the minutes. When we began to examine Toner and the Whittier officials, they saw we knew about things. They didn't know how much we knew and they didn't dare hold out. We found out that two of the employees were talking things over, the head of the Rotary Club was exposing conditions--boring in on things. These employees wanted to get rid of this Rotary investigator. He drove a Packard or Lincoln car and these two employees were talking it over. One said, "Let's head him off the road into the ditch." And the other fellow said, "Where do you get this 'we' stuff? If there's anything of that kind, you do it yourself!"

Jones: Well, we got onto a lot of things of that kind, and they found out that we knew a lot, so they didn't dare hold out on us, and all this stuff came to us. Well, that's just an example of how the morale of the administration suffered because they knew Rolph was easy-going.

Gilb: You don't think he was corrupt himself?

Jones: No.

Gilb: Just tolerated corruption.

Jones: Yes. After we got done, I invited Sheridan Downey and Inman to lunch at the Elks Club over there in Sacramento, and I said to Downey, "The work's only half done. Now you can get out the report and we want about 4,000 or 5,000 copies, sent to the universities and libraries, colleges and so on." I told Downey, "Now you've got to write up this report." "Oh," he said, "I'm done. I've done my part. I can't take any more time." "Well," I said, "You really owe it to the committee." I said, "No one else knows the work and the records and the files the way you do. You ought to write it." But he wouldn't do it. So Inman took the files and divided them into four. He couldn't give one to the Rolph representative, but he assigned the four parts to the other members of the committee,

Jones: Keeping his part until the closing days of the session.

The Committee's secretary was Miss Neve Gregg. She worked all night long getting out Inman's part of the report and daylight came and she got a taxi to take her home. Well, the newspapers were clamoring for copies of the report. One thing I regret, that report was not organized the right way. The part I tried to outline, in writing my portion, was to show that a whole state administration can disintegrate if the man at the head isn't a conscientious worker. The whole administration takes color from the man at the head, whether it is governor or a committee of three. Young worked hard. He was working at midnight in the governor's office. State employees would see him. It made them willing to pitch in. Rolph was too easy-going.

Jones Leaves Senate; Candidate for Governor

Gilb: At what point did you start to think that you possibly might be a candidate for governor?

Jones: Well, some of my friends spoke to me. My term was up in the Senate. I had been there for quite a while and I figured if you're going up, why you have to make the move, and then when I thought about that, that would be in the fall of '33...

Gilb: Why did you decide not to run for the Senate again?

Jones: Well, I had been there 22 years (laughter) and the novelty of it wears off, and I figured that if my familiarity with state affairs counted for anything, why I ought to be able to swing something a little bit bigger, but...

Gilb: Who backed you? I know Hichborn was very strongly for you. Who else was a strong backer for you?

Jones: The thing didn't get along far enough to get...I had endorsements from some Young Republicans in Los Angeles, and school people. The session before, we had the big battle in the Senate Committee on Education to protect the public school system. In the depression the drive was on, and they generally take it out on the departments which are the most vulnerable or least defensive. And they were going to have tuition in the high schools. They were going to have the budgets of school boards supervised and passed on by the Board of Supervisors. They just had a slashing attack on the public school system.

I battled as chairman of the Senate committee to head that off. The drive came in the Senate committee; I wasn't able to stop it, but I could call public atten-

tion to it so that by the time that it got over to the Assembly they were able to organize and head it off.

Well, I had the school people back of me...a number of groups, but...

Gilb: Who among the politicians? Sanborn Young and Jack Inman, I've heard mentioned as being your supporters.

Jones: Well, Jack Inman would be...I don't think Sanborn Young would be particularly. No, he was quite a friend of Richardson.

Gilb: My information is Sanborn Young of Los Gatos announced he would run for state senator to replace you, and I assumed that you had made some kind of arrangement with him. Perhaps he was an opponent of yours. Was this it?

Jones: No, I told him I was going to drop out and he announced that he'd run. But I told him first. He had supported Richardson, but he got very friendly with me. I gave him the biggest political boost of his life. When they were going to have a delegate from the United States for the Geneva Conference, he'd just presented a report of his study of the narcotic problem in the state and the printed copies were on the desks of the members of the legislature. I called their attention to it; then I made this remark, "The President of the United States

Jones: could look further and fare worse, in seeking a delegate to represent this country at the Geneva Conference, than in selecting our fellow member, Sanborn Young." The local newspaper picked it up right away and made something of it. Then we got in touch with Congressman Free, who was close to Hoover and the thing kept moving along until we got Young appointed. So he personally was very friendly with me.

Gilb: How far did your candidacy get? You didn't get to the primaries actually.

Jones: No. I dropped out.

Gilb: And then you felt you weren't going to run for state senator so you just decided to drop out altogether.

Jones: I took over intensively the work of the Santa Clara Valley Water Conservation District.

Gilb: Since you've retired from the legislature, what percentage of your time has been devoted to water matters?

Jones: Oh, the bulk of it.

Gilb: After you got out of the legislature, did you handle legislative matters for others besides the Santa Clara Water District?

Jones: No, I was attorney for the district.

Gilb: Just for the district, that was all; you weren't a lobbyist or anything else.

Jones: No.

WATER IN CALIFORNIA

Gilb: I'd like to know something about your work for the Water District. But you have said that first you would like to outline the overall problem of water in California.

Southern California

Jones: Yes. In California, we have the impact of two conditions, a semi-arid region and a tremendous increase in population. Take the example of Los Angeles. First of all, they delivered water in barrels to the settlers in the pueblo. Then, when the pueblo grew larger, that wasn't sufficient. They'd divert the water from the Los Angeles River. When they grew larger still in population and needed more water, they went to the foot of the Sierra Medres and put in dams in some of those canyons. They then used part of those winter floods to augment their supply.

As they expanded still more in population and had to have still more water, more than fifty years ago they went 250 miles back of the Sierras to Owens Valley, built that big aqueduct to get the water from Owens

Jones: Valley to Los Angeles. Then realizing they were going to have to have more water, they went north into the Mono Basin and tapped the waters of Rush Creek and Lee-vining Creek, the streams that flow east, in the Mono area. They then diverted this water into the head of the Owens River and the aqueduct and brought it to Los Angeles.

They kept expanding phenomenally in population and had to have more water, so some years ago they went to the Colorado River. Ten days before Pearl Harbor I stood on the banks of the Colorado with the Los Angeles city engineers, at Parker Dam. Parker Dam is 100 miles downstream from Hoover Dam, or Boulder Dam, which is where the power is generated and carried by transmission lines to the coast. But no water is diverted there. The water goes down 100 miles to Parker, and there they have a series of immense pumps. That water is so valuable that they lift it a total of more than 1600 feet over the intervening mountain ranges and bring it from the Colorado River to Los Angeles. The interesting thing is, beside the footing of that pumping plant on that first lift at Parker Dam there, they've got the footing for a second and for a third pipe. They're

Jones: always looking ahead towards more water. And one arm of that aqueduct is diverted at Mount San Jacinto and runs south to San Diego. With the tremendous expansion of population there, naval development and so on, the thing that saved San Diego from complete drying up has been that lateral. Recently the people of San Diego voted \$35,000,000 to construct a third lateral from the Colorado River Aqueduct at Mount San Jacinto.

Water Problems - San Francisco

Now, up from Los Angeles to San Francisco. In the early days, San Francisco got its water from springs in the sand hills around the village. When that was inadequate, they brought water across from Marin County in tanks by ferry boats. When that was not sufficient any longer, they went down the Peninsula and put in that series of reservoirs: Crystal Springs, Pileritos, and Lake Merced. Then as they were expanding, seeing that they were going to have to have more water, they went over to Livermore Valley and sunk a string of wells there near Pleasanton and drained water off the Livermore Valley. That's supplied by a couple of big streams back of Mount Hamilton. The Mocho is one, but the larger is

The first part of the report is devoted to a description of the work done during the year. It is divided into three main sections: the first deals with the general work of the department, the second with the work of the various sections, and the third with the work of the individual members of the staff. The second part of the report is devoted to a description of the results of the work done during the year. It is divided into three main sections: the first deals with the general results of the work of the department, the second with the results of the work of the various sections, and the third with the results of the work of the individual members of the staff.

Summary of the work done during the year

The work of the department during the year has been characterized by a steady increase in the number of cases dealt with, and by a corresponding increase in the number of staff members. The general work of the department has been carried out in accordance with the plan laid down at the beginning of the year, and the results have been satisfactory. The work of the various sections has also been carried out in accordance with the plan, and the results have been satisfactory. The work of the individual members of the staff has also been carried out in accordance with the plan, and the results have been satisfactory. The work of the department during the year has been characterized by a steady increase in the number of cases dealt with, and by a corresponding increase in the number of staff members. The general work of the department has been carried out in accordance with the plan laid down at the beginning of the year, and the results have been satisfactory. The work of the various sections has also been carried out in accordance with the plan, and the results have been satisfactory. The work of the individual members of the staff has also been carried out in accordance with the plan, and the results have been satisfactory.

Jones: the Del Valle. As you go through the Livermore Valley, you see those immense gravel pits there. Freight cars and trains running in on spur tracks to take out the gravel that's been washed down out of the Mount Hamilton range in ages past. A lot of water comes down there. San Francisco's wells underdrain Livermore Valley. Its wells are at the lower part of the Valley near Pleasanton. As you go through the Niles Canyon, you'll see a concrete box at some places, about five feet square. Some places it runs through the shoulder of the hills and some places it is exposed. That's the aqueduct carrying this Pleasanton water. They've got a pipeline under the Bay, bringing it to the Peninsula reservoirs. Then when they wanted still more water--they went into the hills back of Milpitas and built the big Calaveras Dam. That impounds 96,000 acre-feet of water. That water rises in Santa Clara County here but it's diverted up into San Francisco. But with all those sources, they were always looking ahead. They saw they were going to have to have more water. So they went to Hetch Hetchy and built that big dam, the O'Sheughnessy Dam.

The first rights on the Tuolumne River are for the Modesto Irrigation District and the Turlock District.

Jones: They have a prior right to 2,350 cubic feet a second which at certain times during the year is stepped up over a sixty-day period to 4,000 cubic feet a second. But any surplus above that belongs to San Francisco. The city conveys this water by the Hetch Hetchy pipeline under the San Joaquin Valley. It comes across near Vernalis and through the Coast mountains. As you drive up to Oakland, just by Newark, you may see a little concrete house on the side of the hill. That's the terminal; that's where the Hetch Hetchy line comes out. Then it goes under the Bay, across to Peninsula reservoirs.

Now they have recently built a second line on an eighty-foot right of way, for a line that doesn't go under the Bay. They've always been afraid what would happen in case of an earthquake; if that line should shear in the bottom of the Bay, it would be hard to repair. So now they've got a line around by Milpitas, Agnew, back up by Sunnyvale, Mountain View, and Palo Alto. This second line of pipe is about six feet in diameter on an eighty-foot right of way, so in the future they can put in a third pipeline.

As San Francisco grew they had to have more water. So some years ago they raised the height of the O'Shaughnessy Dam. Put additional height on it. It now holds

Jones: 360,000 acre feet. Now they are looking ahead for the next twenty years. They have built a second dam on the Tuolumne, the Cherry Valley Dam, holding 268,000 acre feet. Looking to this more distant future they plan an immense new dam that would completely inundate their present Don Pedro Dam. The present Don Pedro holds 290,000 acre feet of water. The proposed new dam, contemplated within another 20 years, is planned to hold 1,200,000 acre feet.

So they have the O'Shaughnessy Dam, and the Cherry Valley Dam. Now within the next quarter of a century, they plan to build this greater Don Pedro Dam. They're always looking for more water.

With Oakland and the East Bay, it is the same thing. They used to get their water in the foothills back of Berkeley, Lake Chabot, and local supply. Then they went up on the Mokelumne River and built the Pardee Dam and brought their water across to Oakland. Then to increase the supply, they put in a pumping system that doubled their capacity of 45,000,000 gallons a day. ^{Now they plan to build still another dam on the Mokelumne.} So you can see in all these cases--Los Angeles, San Francisco, and Oakland--they're always reaching out for more water to take care of their population.

Gilb: Competing with each other, too.

Jones: In a certain way, yes. Southern California needs some of the abundant water of the North.

Water Problems - Santa Clara County

Now I've given you the story of the Central Valley. The Central Valley Project impounds the waters in the northern portion of the Central Valley so that they can be utilized in the southern portion. What's taken place there in conserving and utilizing its available water resources has also taken place in this county. Santa Clara. Our system of irrigation is by wells. We have about 4,000 wells in the county. Beginning about 1915, there was a heavy drop in the underground water plane. In twenty years it dropped 20, 40, 60, 80, 100 and 120 feet. Then we saw that something had to be done, and an organization was gotten together, unincorporated, and hired two engineers, Fred Tibbetts and Stephen Kieffer, to make a survey for the valley. They made no charge for their own personal services; but they were paid for their surveyors and employees. They brought in what is called the "Tibbetts and Kieffer Report" in 1921. That report shows that, in a state of nature, about 38% of the water which falls on the mountains on

Jones: the Santa Cruz side and Mount Hamilton side percolates underground to the gravel beds. But the other 62% runs off into San Francisco Bay and is lost.

Here is a pamphlet which I prepared for our local water district and which shows the rainfall in the city of San Jose, not as heavy as in the Santa Cruz mountains toward the coast. It covers 104 years, and we've had from as little as five inches a year to as much as thirty inches a year. There have been some years of flood and some years of great drought. So it's irregular. The average annual rainfall in San Jose is about 14.29 inches, which is insufficient for orchards and farming and irrigation. So we need additional water. That's the problem that exists.

Gilb: Yes. Well, I would like Mrs. Baum to ask you some detailed questions on Santa Clara.

Struggle to Organize Santa Clara Valley
Water Conservation District, 1921-1929

Baum: This little booklet you put out, Water for the Valley, mentions that an effort was made to organize the Santa Clara Valley Water Conservation District in 1921 and again in 1923. I guess you got an act through the legislature for submitting each of these proposals to the voters.

Jones: Yes.

Baum: But the voters voted down each of them.

Jones: That's correct.

Baum: I was wondering why they voted it down.

Jones: There was a recent study made by a young man named Richard Garland Martin, a graduate student from the University of California; he points out that the major problem in constructing these big water projects is not engineering, it's political. It's getting the voter educated. In those early days, the voters just didn't realize what the crisis was going to be.

Baum: In 1921 and 1923, was it just that the voters were apathetic--they didn't want to put out their money--or was there an organized opposition?

Jones: The first election came pretty near carrying. You can't carry any election by a two-to-one vote without effort. They don't just carry themselves. It requires organization. The thing was too new; people weren't particularly scared; they didn't realize at that time the seriousness that was going to follow. Two years later, the opposition was so strong that the proposal was defeated by a tremendous vote. I've given the figures in here.

Baum: Six-to-one. Something like six-to-one.

Jones: The first proposed district in 1921 included the whole county. But there was considerable opposition from Palo Alto on the north and Gilroy on the south, so the boundaries of the second district eliminated those areas. All to no purpose however; the defeat was all the more decisive still the second time, that was in 1923.

Baum: Was there anyone organizing the opposition?

Jones: I was up at Sacramento at the time. I got the laws through. L. D. Bohnett of Santa Clara County helped in trying to organize the district. He was a lawyer, a consistent Progressive, one of the Progressive leaders, a state Assemblyman back in 1909. But there were businessmen, taxpayers, who just didn't think it was necessary. Also the opposition was elated by its first victory, and was much more militant the second time.

Gilb: Apparently a number of people banded together in the Growers' Protective Association to oppose this whole idea of a district. What was their reason for this?

Jones: Do you have the names of who were on that particular association?

Gilb: No. Just that about 1,000 property owners were members,

Gilb: and they were called the Growers' Protective Association. Now of course, this could have been a front.

Jones: It was. There were no such number as 1,000 people active. There were a few who just...well, the primary concern was taxes. This was going to cost money. Secondly, bear in mind that 30 years ago, the need for water was not as great, the wells were still running from underground, and people generally were not familiar with exactly how percolation worked. You see these dry, narrow stream beds nearly ten months out of the year. People say, "Well, you can't conserve water in a dry creek."

The thing hadn't been tried out.

Gilb: This would account for public inertia, but I wonder why it would account for such active antagonism. There must have been some other special interest.

Jones: Taxation. Taxpayer's opposition to assessments on their land. I remember one man who was very active, very hostile too. In fact, he owned large holdings in the San Joaquin, but he wouldn't put the land under irrigation. Just relied on the rain and many years the rain would fail and he just...the land has made five times as much money since it went into an irrigation district. He was

- Jones: a leader. Took a very active part in opposing the district.
- Gilb: The district in the last half of the twenties, was opposed by a number of lawyers who said that the Herminghaus Case made capture of flood waters illegal. Maybe this was just an excuse they were using.
- Jones: I remember those lawyers. One of the men that attended those different mass meetings said, "Well, they're just there looking for clients. If they find that the opposition is sufficient, they'll organize and rally and present themselves as counsel for the opposition." That's the reason they thought there might be a movement there, a popular movement, and they'd get aboard.
- Gilb: No more principled than that. Simply to seek business? That bad.
- Jones: The 1923 election failed by a decisive vote of 6,684 to 960. A smashing big defeat. Then no one had the heart to urge water conservation. No one except Leroy Anderson. He wouldn't surrender; he wouldn't quit. He gathered together a committee, to build small experimental check dams on the Guadalupe. Water percolated out through the sides or banks of the stream and raised the level of adjoining wells. They conducted little experiments

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Jones: on stream beds with dams of sacks holding the water back, observing how it percolated in the gravel at the side, how far and how fast. The committee raised about eight thousand dollars. The supervisors gave some money; the committee passed the hat and got that amount of money. The results of their experiments were so convincing that then they got a third act through the legislature of 1929. We "sugar-coated" it, cut out any provision for bonds. Just an annual tax of 15 cents a hundred on the assessed valuation on land only.

Baum: Did you have any special trouble getting that through the legislature?

Jones: No. The tendency of the legislators is to keep hands off of any local project that a particular community wants. If the home people want it, why, it's up to them, to their legislators to say so.

Baum: It wasn't going to cost the legislature any money.

Jones: That's the general attitude of the legislature.

Take city charters. The legislature has to approve. The people of a city can have practically any kind of charter they want. The legislators say, "The voters have decided they want that kind of city government, so we'll let them have it." That being the attitude of

Jones: the legislature, there was no trouble getting the water conservation district bill through.

Baum: In 1929 you got the district approved by a large majority. Was this due to the evidence you'd shown on this experimental dam?

Jones: That and the increasing realization that the level of the wells was going down and we had to do something. The water plane had dropped between 80 and 100 feet. Pumping was getting more expensive. Farmers were getting vociferous. They made it known that they were in desperate plight. Of course the prosperity of the merchants in the city depends on the country, so the city people went along and the district was organized.

Gilb: Can you tell something about Leroy Anderson. Why was he such an ardent worker for water conservation?

Jones: Well, he just saw that the future of the orchards and the valley required water.

Gilb: Was he a lawyer also?

Jones: No. He'd been on the faculty of the University of California, either at Davis or San Luis. Then he retired and was an orchardist here in the valley. But he was just an undaunted enthusiast, wouldn't be discouraged.

Gilb: He was sort of a professional agriculturist then?

Jones: Yes.

1931 Bond Issue; Reasons for Defeat

- Jones: For two years we were toying with these little experiments, little check dams in the headwaters of streams to impound a little water. They filled up quickly with mud and silt and were very expensive in proportion to the amount of water saved. Cheap water requires major storage. So two years later in 1931, we got the amendment through that permitted bond elections.
- Baum: You had to go back to the legislature for this amendment. Was there any opposition?
- Jones: No, not when the legislators saw that I had the provision in the amendment that bonds could not be issued except on a two-thirds vote.
- Baum: In 1931, wasn't that when you tried your first bond issue under the 1931 Act, and it was defeated?
- Jones: Yes.
- Baum: What happened? Wasn't everyone in favor of this project?
- Jones: That was right in the depth of the depression that followed the 1929 stock crash. Any suggestion of bonds just raised fear in the mind of the voter. It was impossible that year to put over bonds. The other day I was talking to a man about those days. He had a barber-shop and had to pay rent for it. He said there were

Jones: days he went home with only fifty cents in his pocket. One man had come in to get a haircut. He hopes those days never return.

A man in that position wouldn't want to pay principal and interest on bonds. That was just the attitude of the public in the early days of the depression. The mere suggestion of bonds terrified them.

Baum: You don't think the power issue was important?

Jones: No, except in a minor way. The 1931 plan did have a power feature, but it was minor and it did not provide for firm power throughout the year. It was just proposed to use the water of the Coyote on the east side of the valley in the spring time when there was an excess of flood water and to generate power as water was released from the reservoir and use the power to pump the water across the valley to the west side. At that time we couldn't build at Lexington on the Los Gatos because the railroad and the state highway were in the canyon.

Baum: You don't think it would have been much of a threat to the power company?

Jones: No, it was just seasonal power, a very short season. I don't think it was anything the power companies

Jones: needed to worry about very much, but the men of the P. G. & E. did oppose it in that first election. I don't think that was the controlling factor that brought about the defeat. I think that was minor and rather inconsequential.

There was no firm power because the reservoir gradually empties. As the water is gradually released from the reservoir it gets so low in the summer that there is no head for power. When the reservoir is full, the water can be used for generating some power. The idea was to lift the water to carry it from the east side of the valley to the west side, because at that time the Lexington wasn't thought possible. But the power company just didn't like competition; they wanted the power bought from their lines instead of the district's generating it. So they were hostile to even that amount of competition. In subsequent proposals, the power plant never was included so we didn't have P. G. & E. opposition.

Gilb: Just to avoid more hostility?

Jones: Well, partly to avoid hostility, and partly because there's no great advantage, no great benefit.

But by the way, that will show you how far the

Jones: power company will go. Take P. O. & E., which is a state-wide organization, how they'll dip into these little local elections. When we organized the Milpitas County Water District, the P. O. & E. representative, whom I know very well, called me up and said, "Under what act do you organize?" I replied, "The county water district." "Oh, I'm glad of that. I'm glad you're not organizing as a utility, so you could generate power." In other words, they don't want competition.

Gilb: They keep an eye on every detail...

Jones: Yes, every detail.

Gilb: This is the way the Southern Pacific Railroad used to operate.

Opposition to Leroy Anderson

Gilb: Why did Leroy Anderson lose his seat on the Board of the district in '33, after which he was appointed as secretary. What was the reason for this opposition to him?

Jones: Well, I was in the legislature then; the session was on. I shouldn't have gone away, but I left the thing in the hands of the directors down here. When there is a light vote, the opposition can organize a little handful and sneak in the eleventh hour and win the election.

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Jones: That's what they did. All day long they were quiet and then the last thing just before the polls closed, why, a few dozen sneaked in at a couple of precincts to make enough votes for his opponent to pick Anderson off.

Gilb: Well, what would they have against him?

Jones: I think it was just the personal ambition of another orchardist to be director.

Gilb: That could explain opposition to him as director but why...who opposed him as secretary?

Jones: Well, this same man, when he was on the board, was hostile to him. It all came from that slip-up on that election.

Gilb: It was just a personal ambition sort of thing.

Jones: And when the other man was in, why, then he opposed Anderson's having any position.

1934 Subsidy and Bond Issue

Jones: In 1934, the government gave us a subsidy of \$672,000, which was quite a bait. The district's engineer, Fred Tibbetts, has said that he had to make so many reports for the government and do so much extra work that he doubted whether the district benefited very much by the subsidy, but as far as the public was

Jones: concerned, they thought they were getting a most substantial contribution.

Baum: It would provide employment.

Jones: The government was anxious to put men to work and for that reason they were willing to advance a subsidy. By that time too, people got their nerve back. They also realized more and more that they had to have water. So strange as it may seem, in that brief period from 1931 to 1934, the voters reversed themselves and carried the bond election by about seven-to-one. One of the most remarkable reversals of public opinion in such a limited space of time.

Baum: What about the little dams you had in 1929, 1930 and 1931? Experiments?

Jones: They had value for demonstration purposes, but could not provide storage.

Conservation Program Since 1934

Jones: The district built dams to impound the flood waters; we built one on the Coyote which would impound 25,000 acre-feet. On the west side, the Calero, to hold about 9,000; the Almaden, about 2,000; Guadalupe, about 3,500; Stevens Creek, about 4,000. Then back in 1951 we completed a second one on the Coyote side, the big Anderson,

Jones: which impounds 75,000 acre-feet. In '53 we completed a big one on the Los Gatos, the Lexington. So altogether, we are able to impound, if there is sufficient run-off, about 144,000 acre-feet of water. But this chart shows that we have some dry years. When we began impounding water, with what nature percolated and what we augmented, we brought the underground water level back 20, 40, 60, 80 feet in seven years.

One of the pilot wells of the valley is that of the First National Bank. In 1935, the water in that well was 80 feet below the surface. Seven years later the bank officials called us up frantically and said, "Come over here quick; the water is standing in our elevator." It had come up 80 feet.

But with the increased demand and the subsequent dry years, it has dropped again alarmingly to an all-time low. When the waters from the Anderson were brought in and percolated underground, they helped bring the level back. And now we have the Lexington.

Lexington Dam

Gilb: You mentioned the Lexington Dam. Wasn't there some difficulty about a highway on that site?

Jones: The Lexington Reservoir was a very essential part of the water conservation program in this county. The Los Gatos creek was the second largest producer of water in the valley, and way back, years ago, the railroad ran through the canyon and the highway ran through the canyon. I had the district write letters to the Director of Public Works and to the Highway Department telling them that eventually a dam would have...to be built there in Los Gatos Canyon, and asking that the re-routing of the highway be so planned that it would be above the flow line. In 1933 the District's Engineer, Fred Tibbetts, and I took a map up to Colonel John H. Skeggs, Highway Engineer for Division IV, on which was shown the flow line. We said, "When you re-route as you plan to, re-route the road from Los Gatos to Santa Cruz so as to keep above this flow line." Instead of that they barged right through the reservoir and the site of the dam. We pointed out to them that the railroad eventually would have to fold up; they were losing money, and certainly as soon as the new highway was built, the passenger traffic and the trucks taking freight would cut into the railroad business and they would just lose money. The thing was hastened in the winter 1938, when a flood came

Jones: and washed out parts of the railroad. The Southern Pacific applied to the Inter-State Commerce Commission to abandon those tracks, and they were granted that permission. That just left the highway there in the Los Gatos Canyon.

I appeared before the Director of Public Works on two different occasions, two different sessions, with the legislators of the county backing us up, telling him that we thought they ought to take gas tax money and re-route the highway because they had built it where they did in the face of these warnings from us. Well, the highway authority was pretty potent and we didn't get anywhere. The Director of Public Works said, "We will cause a study to be made of potential reservoir sites and future highway construction to try to keep out of them in the future." But that didn't help us any as to the past. So after trying two or three sessions, Senator Byrl R. Salzman sat right here in this office and I talked with him and I said, "Well, we've got to get together our forces, our farmers and conservation people, and go up and ask again for gas tax money."

As he and I talked it over he said, "Why not put in a bill for an appropriation out of the general fund,

Jones: payable from the state treasury to which has been contributed money from Southern California as well as Northern California, on the theory that the state has made a mistake and the state ought to rectify it." So then and there we decided we wouldn't go before the Public Works Director any more, asking him for gas tax money, because we hadn't been getting anywhere. We would make the drive for an appropriation. And then the battle was on. Los Gatos people quite understandably were concerned that the dam about a mile and half upstream might be a hazard, a danger. You can see why they would be concerned to have it...preferably not have it at all. But if it were built, to have it more than adequate strength. Back of them, shadowy figures in the background, were the highway fellows, because this whole thing reflected on them. So we had an up and down battle. In the assembly committee and in the senate committee, Roads and Highways Committees first and then the Finance Committee. We finally got it through.

Gilb: Wasn't the San Jose Water Works kind of opposing the thing too?

Jones: I don't think they showed at all, in the legislative fight. In the bond issue that we floated they took an

Jones: apparently aloof attitude, stating they had no interest in it, but we always felt that that letter they sent out to the public and the stockholders was in effect saying, "You don't need to vote for it; we're going to supply water for the people of the valley." They didn't come right out in so many words and oppose it, but the whole inference of the letter was that there was no need to bond yourselves for several million dollars; we'll take care of your water needs.

We got the bill through in the 1947 session. We carried a bond election for two and a half million. Then the highway authorities said, "We don't know that that's enough. We may re-route the road and you'll get your dam part way, started, and never finish it." We argued with them that the district would have to go through with it; that we'd even have a second bond issue if necessary. Creditors would have to be paid, the contractor would have to get his money or the supervisors would levy a special tax. We'd have to go through with it. But to no avail. The Highway Department would not begin the re-routing of the highway. So our hands were tied. The next session, 1949, we put in a bill stating that the district had voted funds sufficient to build the dam

Jones: and that the conditions in the '47 act had been complied with. The 1949 act carried a declaration that the money should be available. So the thing was protracted two years and during that two years the price of construction went up. As a result the dam cost us considerably more than was originally estimated by the engineers.

That's the history of those 1947 and 1949 acts. That's one of the most intensive legislative battles I've ever gone through, too. I just sat glued to my chair phoning to different organizations up and down the state to get back of their legislators, get the support of their legislators for our bill.

Gilb: Why was the highway originally routed there? Was it just pure error or was it on purpose?

Jones: Oh, with them it's the cheapest construction. It was cheaper to keep down in the bottom of the canyon than to build up on the hillside. It would cost somewhat more but not nearly so much as having to build two highways.

Gilb: I also wondered whether the San Jose Water Works would have benefited at all from the dam. Why would they oppose it since they probably would get more water in their wells through it?

Jones: I think originally the water company would have liked to have built there themselves. I think we beat them to it. We could get the highway re-routed; they couldn't. But they're the chief beneficiaries of the water we impound. Our whole system is one of percolation. Get the water underground and their wells pump it. They're beneficiaries of our conservation.

Gilb: Concerning this whole question of the highway and the Lexington Dam, Martin wrote, "An area, however, that can commend legislative talents as skilled as those of Mr. Jones is seldom without strategies." So apparently his conclusion was that you did pretty well in your lobbying on that bill.

Jones: Well, it was a tough, protracted, strenuous campaign.

South Santa Clara Water Conservation District

Gilb: Why did it take the South Santa Clara Water Conservation District so much time to get organized. Apparently they tried in '35 and didn't get started until 1938. What were the reasons for the delay?

Jones: I think you'd have to get in touch with Dr. Chesbro and those people down there. I think offhand it would be just the natural conservatism you have to overcome among

Jones: the voters; they have to have a favorable vote to organize the district.

Gilb: Did they ask for your help when they were organizing?

Jones: No, they went alone, independently.

Gilb: I'm surprised they didn't come up and get the benefit of your experience.

Jones: We were the attorneys for the Pacheco^{Pass} Water District which put in a dam on the north fork of the Pacheco, and we did some work with the Hollister Irrigation District, but the other people there, I think they just wanted to be independent of this north district. The central district has since merged into the north district; we've taken in the one around Morgan Hill--the Central District. They had no source of water. We filed on the Coyote waters when we put in our Anderson Dam, our second dam on the Coyote; and they had no adequate source of water. We could furnish them some water so they came in with us. The south district had an independent source, the Uvas and Llagas. There was some sentiment at one time that they should become part of this district, but they're in a different watershed and...

Gilb: Geographic reasons rather than political or any other?

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Jones: Yes, nothing political about it. The Uvas water and the Llagas water they think will take care of their present needs and future needs.

Reasons for Underground Storage

Baum: You use the method of having the water percolate down to the underground strata. Is it cheaper, do you think, to have the farmer pump it up again, or would it be cheaper to send it out in irrigation canals?

Jones: Of course it does look economically wasteful after you have it on top to put it underground and then pump it up again. But we have no place for vast surface storage that can carry over a series of dry years. By percolation we can get the water underground. The theory is that if we have plenty in a wet year and store the surplus underground, we'll have enough over to carry us through a dry year. If you depend just on a surface reservoir, then comes a dry year and you're sunk; orchards die. They get used to the water; irrigated orchards die if they aren't irrigated. They are unlike mountain orchards that just depend on the rainfall; they can survive. So we have built up a system of wells and there's a tremendous investment in the wells.

Baum: You feel it's a more effective way of storing your water.

Jones: At the present time, yes.

Baum: Must cost quite a bit of money in pumping for the individual farmer.

Jones: It does. But the lower the water goes, the more it costs to raise it. It is claimed that ground water is the source, though, of more than half of the water that's used for industry, agriculture, and domestic uses, throughout the nation.

Baum: There's a great loss in surface water, too, from evaporation.

Jones: Yes.

Baum: Do you think more than if you have underground stores?

Jones: The engineers claim that on these big reservoirs here we'll lose three feet or more off the top from evaporation during the summer. It depends somewhat upon the temperatures. But we just don't have a place for vast surface storage in this valley that will carry us over. If we had something like Hetch Hetchy on the Tuolumne or the Pardee Dam on the Mokelumne that could carry over a vast supply for many years, then we could safely count on it, but in this valley we have no alternative but to percolate. That's our permanent storage. There were

Jones: probably a million or a million and a half acre-feet of water stored in the underground gravels before the heavy pumping began.

Basis of Assessments

Baum: I notice your assessments are based on the land value but not on improvements. That's still true?

Jones: Yes. The reason for that was that when this project was proposed, the farmers said, "We can't bear the whole burden of this conservation program and we shouldn't, because if we prosper, the merchants in town prosper." But they realized if the burden was too big on the cities, the cities would just vote against any bond proposals. If a lot was assessed for \$500 and a house for \$2500, the water assessment was based on the value of the lot. The householder didn't have to pay on his house.

You take these big institutions like stores and banks. They pay on their land value, not on the value of improvements. So as a kind of compromise to meet the situation the district taxes are based on land alone.

Baum: In those days a large percentage of the water was going to be used for agriculture. But now you say more and more of the water is going for industrial use, domestic use. Doesn't that method of assessment put an unfair

Baum: burden on the agriculturist now?

Jones: That's been the subject of a good deal of discussion. One of the men who started the movement for the district 30 years ago is Max Watson. He favored a different tax, a meter tax, that whoever got water should pay according to the water pumped. But the others didn't think that was practical, so it was never adopted.

With increasing frequency is heard the suggestion by city property owners, that if they bond themselves and supply water for the San Jose Water Company and it pumps it out and sells it back to them--there's been more and more of a feeling that the property tax is not entirely equitable, that a use tax might be more equitable. But the provision for a tax on land has been in the law so long, the public's gotten accustomed to it. I doubt whether they'd change it as yet.

Baum: I think irrigation district law provides for assessment on land, but not on improvements, the same way. But they just assess all the land the same and then they charge water tolls.

Jones: Yes, they have a certain assessment for the capital outlay and another toll for maintenance and operation.

Baum: I wondered if you could use that, sort of a dual system.

Jones: At the present time I don't think it would be feasible.

Baum: Any change would be too hard to...

Jones: Yes, to explain. The public are accustomed to this. It would take a major effort to re-educate them and change it.

Relation of Water Conservation to Flood Control

Gilb: There are a number of agencies in the Santa Clara District related to water--the water conservation district, flood control, and so forth. Is there any problem of coordinating the work of all these various agencies?

Jones: Well, to a certain extent. George Schlmeyer, the Master of the State Grange, said the word "flood control" ought to be dropped from the dictionary. It all ought to be conservation. These conservation dams serve flood control. By impounding the water in the flood season, they prevent it from running down stream and doing damage and they have it for beneficial use. The old conception of the Army Engineers of flood control was to rush it off to the ocean. They were dealing with the problem in the Everglades in Florida and other places. Now the idea in the semi-arid west is to capture the water and hold it for beneficial use. So the two work

Jones: together, in the sense that water once captured prevents damage being done down stream. But the moment you fill your reservoir, the flood control people want it emptied right away to break the crest of the next flood. The conservation people want to retain it there and release it slowly during the summer months. So from that point on, it becomes a conflict of interests. But, these reservoirs of ours are large enough to capture most winter runoff and so they serve both flood control and conservation.

The flood control district is a county-wide district, run by the Board of Supervisors. We have a lot of projects where we work together...Certain streams are so small that they have no good site for storage. The flood control people then just clear out the stream bed and put up levees along the banks so that the water can't do damage by overflowing. They rush it off to the Bay. That's because there's no opportunity for conservation. But if there's a site in the mountains where we can put in a dam to hold back the water, then conservation also works as a flood control project.

Future Water Needs for Santa Clara

- Jones: In our valley here, we're confronted with the same problem that all the rest of the central and southern part of the state run into, of tremendous increase in demand and a limited supply. So we have to look to an outside source. Studies were made by the State Engineer's office, and one of these was financed jointly by the state and by local authorities--the county paying one-quarter, the city of San Jose, one-quarter, and the state, one-half. The State Engineer envisages the time when there won't be any orchards left in the northern part of Santa Clara Valley. It will all be an industrial and residential section. Then we'll have to have, in addition to the waters we conserve in our local foothills, at least 184,000 acre-feet of outside water annually. A more recent report by the state, mentioned by the Governor in the dedication exercise of the Lexington Dam estimated that we'll need 215 thousand acre-feet of water in addition to our local water.
- Gilb: This water is consumed by urban population rather than by irrigation?
- Jones: The domestic use is steadily increasing. We've got 50,000 acres of hillside land where homes are being

Jones: put in. About 3000 acres of orchard a year are going out on our Valley floor to make place for homes. These are the homes that our vast new industries require. As to agricultural use, row crops require more water than orchards. Another thing engineers didn't figure on originally was overhead sprinkling systems. It used to be thought that you had to have level land on the floor of the valley and laterals running by gravity, but with overhead sprinkling a lot more land has been brought under irrigation.

Failure to Join South Santa Clara Water Conservation District in Conserving Local Water

Beum: Did you say you had about tapped all the water there is in this area? Local water?

Jones: Our Santa Clara Valley Water Conservation District just about has, yes. But to the south, in the Gilroy area, there are two streams. One's called the Uvas, which comes from the west and is a large producer of water, and runs just west of Gilroy, and empties into the Pajaro River. North of that is one called the Llagas. It doesn't produce as much water, but the plan is to carry water from the Uvas across to the Llagas, which has a gravelly bed, well adapted to percolating, and

Jones: get it underground there. The Uvas and the Llagas are going to be pretty large suppliers of water for that area there in the south part of the county.

Baum: Why hasn't that been tapped already?

Jones: They're building the Uvas. An unfortunate thing is that our district had a contract with the South Santa Clara Valley Water Conservation District whereby the two districts would jointly build a dam on the Uvas that would impound about 34,000 acre-feet of water, and the north district would pay 60% of the cost and get 60% of the water. Our district didn't move up fast enough, and the south district wanted to start things going, so they've gone ahead and put up a dam for about ten thousand acre-feet of water on the Uvas. Then they have a pipeline that carries the water from there to the Llagas, to distribute it into the channel of the Llagas. That would have been the last large source of water, undeveloped, in this valley, for our district to have availed itself of if we'd gone in with them. I recommended it strongly to our board that we should.

Baum: Why didn't your board move fast enough?

Jones: Just at that time, we had a good many details in connection with the Lexington Dam. I had actually gone to

Jones: Sacramento and looked into the proceedings for joint ownership of water rights, for joint construction, and joint operation of the project. A precedent would have been the Oakdale and South San Joaquin irrigation districts. I was on an excursion and went through Oakdale, up to Columbia. And I came back and told our board, I was planning to go over to Oakdale to rent a room and look over their records there. But our board thought, well, there's no hurry. In the meantime, the south district insisted on going ahead, and since our board hadn't moved fast enough, they just went ahead on their own.

Baum: When was this?

Jones: It was shortly after November 12, 1954.

Baum: Your water situation was pretty crucial already.

Jones: Yes, it was.

Baum: I'm surprised that they didn't move very rapidly.

Jones: Yes. Very unfortunate. The attorney from the south district was phoning me asking what progress I had to report, and I called the matter to the attention of our board, and they replied, well, they didn't think there was a hurry. Result was that we got left behind. That was too bad. Because that was a large amount of water. Flood problems down in Gilroy; they have to have a levee

Jones: to keep the water from getting into the city of Gilroy. But aside from the Uvas, we have left in this valley only smaller streams. The Penitencia, which comes out of the eastern hills and down the Alum Rock Canyon, has been investigated by our engineer, and we might impound three or four thousand acre-feet there. A second dam on the Guadalupe might impound maybe another three thousand acre-feet. Those are the two largest remaining stream sources in the north valley.

Outside Sources of Water--Central Valley Project

Jones: In March, 1948, I went back to appear before the Congressional Committee on Interior Affairs. Through Congressman Engle and Congressman Anderson, and with the help of Congressman Miller of Contra Costa County, we got a bill through as the outgrowth of those hearings requiring the Reclamation Bureau to investigate the feasibility of a route or routes for bringing Central Valley water into Contra Costa, Alameda, Santa Clara, and San Benito counties. We put in "routes" so we could figure on bringing water through the Altamont pass, or fifty miles south through the Pacheco Pass. Either of those routes. Recently there has been suggested a third route: namely up the Puerto Creek, in

Jones: the region of the San Antonio Valley, where Central Valley water could be put into the head waters of both the Arroyo Del Valle, and the Coyote Rivers. The high point in Santa Clara valley is about 350 feet at Madrone. If the big San Luis Reservoir is built just west of Los Banos, we could drive a seven-mile tunnel through the Pacheco hills and drain off the top fifty feet of that San Luis water by gravity and thus bring water into all parts of Santa Clara Valley. That would be at a sufficient elevation to carry water both north and south, and along both the east and west sides of the valley.

The Reclamation Bureau has made a survey coming through the Altamont Pass. Likewise the State Engineer has made a survey, coming through on a little different route, just a mile or two north of the intake of the Delta-Mendota Canal, at what they call Italian Slough. The State Engineer suggests taking water out at Italian Slough and bringing it through Livermore Valley and back of the Mission San Jose hills and having a retention storage reservoir back of Milpitas and having another one at Evergreen. Those would impound, each of them, about 25,000 acre-feet of water. These suggested reservoirs would tie into outside water, which is what we

Jones: ultimately have to have in this valley. We're doing everything we can to conserve local supply, but that is insufficient.

We've organized here recently, in addition to the Santa Clara Valley Water Conservation District, under an act we put through the 1955 session of the legislature, a district commonly called the "Tri-County Water Authority," whereby counties like Santa Clara and Alameda, San Benito, Santa Cruz, Contra Costa, can combine to develop an outside source, bring water from the outside. The two directors are Ed Hamme of San Benito County and Frank Polak of Santa Clara County. The latter is also president of our local Santa Clara Valley Water Conservation District.

Such outside water would be more expensive, because it would require a lift to get it from the Central Valley and through the hills and tunnels and aqueducts. The pattern's always the same. Utilize the local water, which is nearest at hand and cheapest, as Los Angeles did, San Francisco did, Oakland did, and what we're doing here. But as you expand and need more water, you keep going further afield, it costs more, but you have to go where water is.

Jones: Now to augment this supply in the Central Valley, a bill is going through Congress to divert Trinity River, which flows for quite a distance parallel with the Coast Range and then turns westward into the ocean. But there's a place where it can be diverted and there's an 1800-foot drop, so you can generate a lot of power. It dumps into the Sacramento just below the Shasta Dam and above the Keswick, so that Trinity water can augment the amount that will come down to the Delta pool. It will thus help this coast area. All these coast counties, Santa Clara County, San Benito, and maybe Alameda, Santa Cruz and Contra Costa, are greatly interested in this Tri-County Authority, which will plan on outside water.

Baum: Is this Tri-County Authority especially to negotiate with the Bureau of Reclamations? After it makes its study.

Jones: Not necessarily. It can negotiate with any agency. The State or the Bureau.

Baum: If the State takes over the Central Valley?

Jones: It's not restricted or limited as to with whom it deals or the source from which it gets its water. In fact, if investigations found that water from the northwest, the Russian River, Lake County, the Eel River and other northwest streams were available, why, no legal reason

Jones: why the Tri-County Agency couldn't deal with that. In fact, that north coast water has been investigated in times past, I think, by San Francisco and Oakland.

Wiley Scheme

Jones: Now have you heard of the Wiley scheme? Wiley is an old-time engineer who originally came from Bakersfield. After that, he was engineer for Miller and Lux over in Merced County. His plan is to carry water along the western foothills of the Sierras and not let it drop down the Sacramento river to the Delta at Stockton but keep its elevation. He says he'd take it out of the American River at about elevation 700 and carry it southward along the Sierra foothills. When he gets opposite Merced, he would bring it under the San Joaquin Valley and into the San Luis Reservoir. Then some of it can be carried south. Also some west, over into this valley here. That plan proposes to avoid a good part of the pumping lift; it proposes to take advantage of gravity.

Baum: Use the original elevation of the water.

Jones: That's right. There's a lot of difference of opinion between engineers. The Army Engineers have their plans,

Jones: the Bureau of Reclamation, their plans, the State Engineer, his recommendation, and then within the state there are private individuals. Some prefer the northwest water. Then Mr. Wiley has his plan for bringing water down a grand canal along the eastern foothills and keeping its elevation. All those are plans that have at one time or another been proposed.

Beum: Eventually all the water will have to be tapped one way or another.

Jones: Yes, no doubt about that.

Beum: That Central Valley Project water entails the 160-acre limitation. Does that have any effect in the valley?

Jones: I don't think it does in this valley. There are very few holdings of that size. Of course, over in San Joaquin, where they have those big holdings that don't want to be broken up into 160 acre tracts, that's going to be a potent factor. But I doubt whether it is in this valley. I think the people in this valley just look to results, which agency can furnish it cheapest, the state or the federal government, and if the federal government can furnish money without interest and make a large contribution to flood control, and to fish and wild life on the Central Valley water, I think our

Jones: people would just as soon have that as to have it from the state. So that I don't think that's a factor in this community.

Baum: Is there any demand in this valley for Central Valley power? It would seem that your industry would like to have the cheap power if they could.

Jones: Doubtless they would. I think one of the first calls on Central Valley power would be to provide the power for lifting the water, especially if it's carried to Southern California. It will take all the power from the project, and all the power companies now furnish, and then the use of much of the state's oil to produce still further power. It will take an enormous amount of power to lift that water. Eventually, of course, atomic energy may be available for that pumping.

Hetch Hetchy; a Possible Source of Water

Jones: One source that will help us is Hetch Hetchy water. Under the Reker Act (Congressman Reker was the one who got that bill through Congress) there's a provision that that water can be used by public districts and cities outside of San Francisco for domestic and industrial purposes, but not for agriculture. Out here at Milpitas

Jones: our office organized the Milpitas County Water District, and the water for the Ford plant comes out of the Hetch Hetchy line. That line swings down by Agnews Hospital. If the Hospital wells get too low, they have a right, as part of the deal to go through Agnews Hospital land, to tap the Hetch Hetchy supply. And Moffett Field uses Hetch Hetchy water. Santa Clara has been considering a contract that if its wells get low it can tap the Hetch Hetchy line. Sunnyvale has such a contract, Mountain View has, Palo Alto has. A lot of these new industries that are coming in are locating near Sunnyvale where, if the pumping supply from the floor of the valley gets too low, they can use Hetch Hetchy water. Since Hetch Hetchy can serve for industrial and domestic purposes only, but not for farming; for farming we're going to have to get this water from the Central Valley.

Baum: San Jose can't get Hetch Hetchy water, can they?

Jones: Except by complying with the Raker Act and taking over the San Jose Water Works. The Raker Act specifies that it can be used only by a municipality or public district, not sold to a corporation or an individual for resale. So unless the people of San Jose vote to take over the water works and have it as a municipal system, they

Jones: couldn't get Hetch Hetchy water.

Baum: Is there any likelihood that you will be able to take over the water works?

Jones: We had a chance many years ago when Clarence Goodwin was city manager. The San Jose Mercury felt that the people wanted the water system. They took a test poll. They sent out a communication to every twentieth name in the telephone directory, and the replies came back about 80 percent in favor of municipal ownership. Then they asked the city council, in light of that, to call an election. As soon as the election was called, the San Jose Water Company got busy (the utilities have a nation-wide organization; they have the information and propaganda to combat public ownership). The Mercury supported it at first. Later the Mercury dropped out of the picture, and the thing was badly defeated.

Baum: Was this election you were speaking of the one in 1938 or was there a later one? I think there was a later one in about 1949.

Jones: It was in 1938.

Gilb: Has there been any Democratic-Republican split on the question of municipal ownership of the San Jose Water Works?

- Jones: Not Democratic-Republican split. It's just municipal ownership vs. private ownership.
- Baum: I was interviewing Charles F. Lambert, who had negotiated some deals with buying out public utilities like the water works, and he felt that all public utilities are willing to sell out, at a high enough price, but they'll put on a little fight and that will raise the price. Do you think that's true of the San Jose Water Works, or do they really want to hang on?
- Jones: I think they really want to retain the system, because it pays good dividends. That's why I think it wouldn't be a make-believe fight; it would be a real fight. But you never can tell--if the Water Company got its price...
- Baum: And what would be the likelihood of your winning? Not very good?
- Jones: Well, the city has no funds with which to conduct a campaign. That was demonstrated in that previous campaign. The water company does. Unless there were an aroused opinion on the part of the people generally, in the city, that they must buy out the water works, there doesn't seem any likelihood of the election next time being any better, any more favorable, than this last time.

Jones: However these utility corporations are proficient in their public relations, and shrewd in sensing shifts in public opinion. When they realize that the sentiment of a city has finally "jelled" in favor of municipal ownership, they "bow to the storm", provided they can get their price.

Now our congressman for this district, Charles Gubser, has a bill in to amend the Raker Act and to permit the San Jose Water Works, even though a private corporation, to get Hetch Hetchy water. Whether that will pass or not depends somewhat on the Modesto and Turlock districts; they're very much opposed to tinkering with the act. Also the original backers of the Raker Act will probably oppose it.

Baum: Even if you got Hetch Hetchy water, either by an amendment of the Raker Act or by buying out the water works, would that be sufficient for the needs of San Jose, considering this big development that San Francisco foresees in her own future?

Jones: I still think we'd have to have outside water from another source. First of all, Hetch Hetchy water cannot be used for agriculture; just domestic and industrial purposes. There's a first lien on that water by the Modesto Irrigation District and the Turlock Irrigation

Jones: District. To guard against a series of dry years, they have immense reservoirs. Big Don Pedro Reservoir, holds 290,000 acre-feet of water. San Francisco is planning within the next 20 years to build another immense dam to impound 1,200,000 acre-feet of water. So San Francisco's always looking ahead for an additional supply of water.

Baum: Could you attach yourself to San Francisco's expanding supply of water?

Jones: In San Jose, a district would have to be organized like the Milpitas County Water District. Or the existing Santa Clara Valley Water Conservation being a public agency, could contract with San Francisco for Hetch Hetchy water, although it would undoubtedly first want the law amended to allow it to issue revenue bonds. For the cities of Sunnyvale, Mountain View, Palo Alto--the local water they pump from their own municipal wells is cheaper, but if that is depleted, all have contracts to call on Hetch Hetchy water to supplement their supply.

Baum: Under the Raker Act, you have to apply this water to domestic and industrial use. But eventually you feel that most of the Santa Clara Valley is going to be industrial or domestic. So that if there was enough

Baum: water in the San Francisco supply, you wouldn't have to get water from the Central Valley, would you?

Jones: I think San Francisco is going to be a little cautious about an unlimited draft on its supply, because San Jose is expanding phenomenally, and so is the East Bay. San Francisco wants a reserve so that its own people don't go without water. No, I think we still will have to have outside water for this valley. Central Valley is probably the best source. Although a limited supply might be obtained from Santa Cruz County.

SUMMARY AND CONCLUSIONS

Gilb: Before we finish, there are one or two general questions I would like to ask. First, if you had to narrow down to a list of four or five, the names of the men who have been the outstanding political leaders in California during your political career, who would you name?

Jones: You have asked for my appraisal of some of the members of the Senate with whom I served in various sessions. This would be a difficult task, as there were numerous, very able, high-minded men. Instead, however, let me allude to my colleague of eight years from my own County of Santa Clara - Senator Frank H. Benson.

Senator Benson, more than any other man with whom I associated, had the faculty of sizing up a campaign and predicting with accuracy its outcome. He also had a faculty for the epigrammatic, compacting a whole speech in just a word. The following are a few examples:

1. As we packed up our grips in our hotel at the end of a session, about to return to San Jose, he remarked, "Back to the land of the fourflusher."

Jones:

2. An amateur in politics: "One who trades his majority for the other fellow's minority."

3. "The American people make a fetish out of their Courts."

4. Referring to Judge : "There is no one before whom I would rather try a case--if nothing depended upon it!"

5. In reply to a doctor who was denouncing "socialized medicine" but who sent his children to the public schools, Senator Benson asked, "How do you like our socialized education?"

6. In starting out for the session when James Rolph first became Governor and meeting Senator Benson on the street corner, I asked him if he had any advice to give me--those being the days when the common expression was, "Don't let them outsmart you." Senator Benson replied, "Don't let them outsmooth you."

7. In later years Senator Benson once remarked to me, "Jones, you and I are not Republicans."

8. In regard to war, after he had been through World War I as a YMCA Army Secretary he said, "War is so utterly abhorrent that the next time they can put me in jail--I'll rot there first."

Jones:

9. An example of a joke on him was when he delivered a patriotic address to the members of the Women's Relief Corps Home (widows and daughters of veterans). After making a patriotic address he mingled among the audience. To elicit a compliment he said to one of the women, "I am afraid I tired you by my talk." She replied, "I am a soldier's widow; I am used to hardships."

10. Probably the classic in the history of the California legislature is his reply to Senator Irwin of King's County. Senator Benson had introduced a bill to straighten out a mixup in the state election laws. Senator Irwin delivered a long, legalistic argument in opposition--quoting laboriously from law books that he had gotten from the State Library. The Senate adjourned for lunch and on re-convening at 2 o'clock Senator Irwin continued to again read voluminous extracts from the law books, with the members of the Senate completely bored. Then Senator Irwin, in addition to his argument that the bill exceeded the scope of the governor's call which had convened the legislature, proceeded to attack the workability of Senator Benson's bill. One after another of these alleged defects he mentioned, then with an attitude of exultation, as if to crush Senator Benson

Jones: with his crowning argument, he turned and exclaimed, "Senator Benson, your bill states that the voter on entering the polls must declare his party affiliation in an audible tone of voice. What would you do in the case of a man from my county who is deaf and dumb?" In a stage whisper that could be heard all over the Senate chamber, Senator Benson replied, "Elect him to the Senate!"

Gillb: What did you think of Governor Olson?

Jones: Well, he did me the honor of appointing me on the Re-employment Commission. I was the only Republican appointed by him on this body. He was a man of high ideals. My regret was he couldn't dominate his Democratic backers, the chairmen of the Democratic Committees. His Relief Director was Dewey Anderson, and Anderson was trying to keep out political appointees. Richards, the chairman of our Employment Commission, wrote the governor, talked to him, and the governor said, "I'll stand firm. I'll back up Anderson." But Richards would no sooner turn his back than some Democratic committeemen would begin to importune Olson and say, "We elected you; this is one of the departments where there is no civil service and we've got to have

Jones: some patronage to keep the organization together." And Olson would weaken and it finally came to a point where the Democratic committeemen were stronger than Richards or Anderson, and Anderson was let out.

My comment would be that Olson was a man of high ideals but he just didn't...well, he allowed his administration to be too partisan.

Gilb: He did represent your views to some extent on the water question, didn't he?

Jones: Yes. As I have told you in our discussions, the outstanding thing in government that has most impressed me has been the development of the social viewpoint--that is to say, the responsibility of the state for the welfare of its people, health, education, public morals, public works, business opportunity, the prevention of unfair competitive practices. As population increases, the state more and more is the agency that has to do it.

Gilb: Well, you know you sound something like a New Dealer. In what way would you say your conception differs from Franklin Roosevelt's?

Jones: Well, I, of course, fundamentally, I believe in the American system of individual initiative and free enterprise. My attitude toward power is not to have public

Jones: projects supplent and displace the private plants, but let the two work along side by side. The public project is the yardstick by which to measure the efficiency and cost of private...but whatever you call it, it's a recognition of things that are being forced on us more and more. We just can't get away from the fact that public opinion demands more and more functions of the state. Take the system of highways, when I first went to the legislature, the state had practically no highways. Since then we've got the state highway system, and the public demands that every pound of cement and gravel and rock be hauled in and smoothed out smooth as velvet, to take care of millions of automobiles. The standard of living has gone up. No governor could last a minute who didn't carry on this highway program, building highways.

Gilb: I gather that you do approve of the state's taking on these functions...

Jones: Yes, yes. There's no alternative. The thing changes from generation to generation. A while ago a doctor was talking to my friend Senator Benson against socialized medicine. Benson turned to him and said, "What do you think about our socialized education, the public school system?" Nothing was denounced more bitterly

Jones: back a hundred and twenty-five years ago than public schools. Now, it's the most popular American institution we have. Armies are socialized; you can't have private armies anymore. The Post Office is a socialized institution.

Another instance was brought out when Congressman Jack Anderson said that while he was supporting the bill for the Folsom Dam to conserve the waters of the American River, he did not approve of any "socialized power." Congressman Engle's comeback, with a twinkle in his eye, was: "When the project is completed, will you accept any of our 'socialized water?'"

Some call it "creeping socialism", yet the drift seems inevitable. In fact, an ironical phase is that frequently interests which denounce too much governmental regulation turn right around and insist on it for their own protection. A striking example is that of the railroads which advocated extreme "laissez faire," hands off, until in 1915 there came along the eruption of jitneys. Then the railroads wanted the jitneys legislated out of existence.

Gilb: Then the one thing you do believe should be free and individual is business enterprise. Where it isn't in the realm of public necessity, is that correct?

Jones: Yes, that's correct. But I believe the American people are going to judge by results, whichever is most efficient. During World War I there was quite a demand for government ownership of railroads. But they didn't operate very successfully so the public lost interest in that. They're interested in results. People are not going to judge on the basis of theories--socialism vs. individualism. They're going to judge on the basis of how a thing functions, how it operates. And whatever renders the best service is going to be ultimately accepted by the people

Gilb: At this point you think some things are best publicly run and some are best privately run.

Jones: Yes. I think the Post Office, and the Army have to be publicly run. We can't have a lot of private armies as they used to have. And the public school system. There are some drawbacks to the public school system, but that's one of the great democratic institutions.

Yes, I think it's a question of any one governmental activity or function justifying itself.

My view on the legislative process and popular government generally can best be epitomized by a statement of a student of government who, in his younger

Jones: days, wrote that democracy was a tool of the finest steel, but as he grew older he realized that it was but a blunt instrument--yet it is the best instrument that we have!

I would like to conclude with an excerpt from my address on "The First Legislature of California," which I delivered before the California Historical Society, December 10, 1949, upon the 100th anniversary of California's first legislature:

Often is heard the advice "keep out of politics." There is no more insidious or dangerous advice. If the good citizens keep out of politics, who gets in? Public affairs have to be run by someone. If it is not done by civic-minded citizens, then it will be by selfish interests. If the citizens do not run our government, political bosses or dictators will do it for us. May the day again come when the term "politician" shall regain its original meaning of one versed in the science of government. Well will it be for the State when "politician" is again a term of respect, a symbol of an ordinary citizen's interest in his government, a life-long opportunity of important service--in short a title to which a young man may aspire.

Too often the citizen says he is "too busy for politics." No man is too busy for politics! It simply means that he cares more something else--golf, travel, business or profit.

There is a great deal of talk today about lobbyists and pressure groups. There is talk about danger to our country from dictators abroad. It is true that pressure groups are potent in gaining their ends. It is true that lobbyists gain special privileges for their clients. It is

true that authoritarianism in government prevails in large areas of the world.

These, however, are not the real threat to our State. The real danger lies in the failure of otherwise good citizens to appreciate what they enjoy under representative government. The real danger is not ideologies or attack from without--it is the surrender of our institutions by the indifference and inaction of Americans themselves.

There is no royal road to good government. There is no panacea that will of itself cure the ills of democracy. Almost any form of government will work well if there is a high degree of alertness on the part of the citizen, and no form will work if the citizen is apathetic. Two things are necessary on the part of the voter, if representative government is to function--an educated intelligence and an unceasing interest. We have to look to our schools to provide the first. We can only look to the individual himself to provide the second.

The price of good government, like the price of liberty, is eternal vigilance.

* * * * *

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GENERAL INSTRUCTIONS

- 1. The first thing to do is to get a good night's sleep.
- 2. Eat a healthy breakfast.
- 3. Get dressed in clean, comfortable clothes.
- 4. Brush your teeth and wash your face.
- 5. Take a shower or bath.
- 6. Get ready for work or school.
- 7. Leave home on time.
- 8. Arrive at work or school on time.
- 9. Follow the instructions of your supervisor or teacher.
- 10. Do your best.
- 11. Be polite and respectful to everyone.
- 12. Keep your work area clean and organized.
- 13. Take breaks when you need them.
- 14. Stay hydrated.
- 15. Eat healthy snacks.
- 16. Exercise regularly.
- 17. Get enough sleep.
- 18. Stay positive.
- 19. Be a team player.
- 20. Follow the rules.



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